



Kansas Register

Ron Thornburgh, Secretary of State

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State of Kansas

Legislature
Interim Committee Schedule

The following committee meetings have been scheduled during the period of December 16-29. Requests for accommodation to participate in committee meetings should be made at least two working days in advance of the meeting by contacting Legislative Administrative Services at (785) 296-2391 or TTY (785) 296-8430. When available, agendas can be found at <http://skyways.lib.ks.us/ksleg/KLRD/klrd.html>.

Date	Room	Time	Committee	Agenda
December 16	519-S	9:00 a.m.	Legislative Post Audit	Review of final report of school district expenditures, performance audits on Pooled Money Investment Board and State Treasurer's Office, and financial audit of the Lottery.
December 16	123-S	10:00 a.m.	Joint Committee on State Building Construction	Agenda not available.
December 17	123-S	9:00 a.m.		
December 18	123-S	9:00 a.m.		
December 18	531-N	10:00 a.m.	Joint Committee on Information Technology	18th: Review agency projects.
December 19	531-N	9:00 a.m.		19th: Review distance learning.
December 19	Office of the State Board of Regents	9:30 a.m.	Legislative Educational Planning Committee	19th: Joint meeting with the State Board of Regents and Bob Kustra, new president of the Midwest Higher Education Commission.
December 20	514-S	9:00 a.m.		20th: Instructions to staff for bill drafts and report.

Jeff Russell
Director of Legislative
Administrative Services

Doc. No. 028724

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State of Kansas

Credit Scoring Task Force

Notice of Meeting

The Kansas Credit Scoring Task Force will meet at 9 a.m. Wednesday, December 18, in Room 526-S of the State Capitol, 300 S.W. 10th Ave., Topeka. The meeting is open to the public. For additional information, call (785) 296-7803.

Michael McGrew
Chairman

Doc. No. 028729

State of Kansas

Board of Healing Arts

Notice of Hearing on Proposed
Administrative Regulations

A public hearing will be conducted at 10 a.m. Wednesday, February 19, at the office of the Kansas State Board of Healing Arts, 235 S. Topeka Blvd., Topeka, to consider seven new proposed rules and regulations dealing with naturopathy (K.A.R. 100-72-1 through 100-72-7) and one new proposed rule and regulation dealing with contact lenses (K.A.R. 100-75-1).

This 60-day notice of the public hearing shall constitute a public comment period for the purpose of receiving written public comments on the above referenced rules and regulations. All interested parties may submit comments prior to the hearing to the Board of Healing Arts at the address above. All interested parties will be given a reasonable opportunity to present their views, orally or in writing, concerning the adoption of these regulations during the hearing. In order to give all persons an opportunity to present their views, it may be necessary to request each participant to limit any oral presentations to five minutes.

Any individual with a disability may request accommodation in order to participate in the public hearing and may request the regulations being considered and the economic impact statements in an accessible format. Requests for accommodation should be made at least five working days in advance of the hearing by contacting Tammy Duenas at (785) 296-8558. Handicapped parking is located at the west end of the Hutton Building, and the northwest entrance to the building is accessible.

The seven new proposed naturopathic rules and regulations to be considered at the hearing and the respective economic impact are as follows:

K.A.R. 100-72-1. Fees. This regulation establishes the fees to be collected by the board for initial registration of naturopaths, temporary registrations, renewals, late renewals, reinstatements, certified copy of registrations and acupuncture certifications.

K.A.R. 100-72-2. Application. This regulation specifies the information that will be contained on the application for registration as a naturopath.

K.A.R. 100-72-3. Unprofessional conduct: defined. This regulation defines specific grounds that would constitute unprofessional conduct by a naturopath.

K.A.R. 100-72-4. Criteria for approval of programs in naturopathy. This regulation provides what proof of education will be required by each applicant for a registration to practice naturopathy.

K.A.R. 100-72-5. Examinations. This regulation designates the criteria that must be met for the board to approve an application for registration.

K.A.R. 100-72-6. Professional liability insurance: minimum coverage limits. This regulation establishes the minimum professional liability insurance coverage limits that a naturopathic doctor must obtain before rendering professional services in this state.

K.A.R. 100-72-7. Registration renewals; continuing education. This regulation specifies the minimum continuing education requirements each registered naturopath must meet to renew their registration.

The regulations dealing with naturopathy are not mandated by any federal law. During FY 2003, it is estimated that approximately 20 individuals seeking to be registered as a naturopath will incur costs of \$130 each to obtain registration. There will be no costs attributed to renewals for calendar year 2003. In FY 2004, it is estimated that 20 registered naturopaths will incur costs of \$100 each to renew their registrations.

Applicants for registration will incur costs to meet the application requirements in an undetermined amount. In addition, applicants will incur costs to take a board-approved examination for registration. Once individuals are registered, each will incur costs to purchase proof of liability insurance and to obtain the required continuing education.

The board will incur costs to enforce the provisions of this act, which include printing and publication costs. The amount of these costs is not known. No other persons or entities will bear any costs or be affected by these proposed rules and regulations.

K.A.R. 100-75-1. Fees. This regulation establishes the fees to be collected by the board for initial registration and annual renewal of contact lense distributors.

This regulation is not mandated by any federal law. The amount of revenue that these fees will generate is not known because the number of participants are not known. The board will incur costs to enforce the provisions of this act, which include printing and publication costs. The amount of these costs is not known. No other persons or entities will bear any costs or be affected by this proposed rule and regulation.

Copies of the proposed regulations and the associated economic impact statement may be obtained by contacting Betty Johnson, Kansas State Board of Healing Arts, 235 S. Topeka Blvd., Topeka, 66603, (785) 296-3680, or by accessing the board's Web site at www.ksbha.org/pub-info.html.

Lawrence T. Buening, Jr.
Executive Director

Doc. No. 028728

State of Kansas

Department of Transportation

Public Notice

Pursuant to Title 49, Code of Federal Regulations, Part 26.45, the Kansas Department of Transportation has established an overall DBE goal for federal fiscal year 2003 of 9.27 percent of the federal aid highway funds to be awarded on federally-assisted contracts from October 1, 2002 to September 30, 2003. Any questions or comments should be addressed to the KDOT Office of Engineering Support at (785) 296-7940 or sandra@ksdot.org.

E. Dean Carlson
Secretary of Transportation

Doc. No. 028727

State of Kansas

Kansas State University

Notice to Bidders

Sealed bids for the item listed below will be received by the Kansas State University Purchasing Office, Manhattan, until 2 p.m. on the date indicated and then will be publicly opened. Interested bidders may call (785) 532-6214 or fax (785) 532-5577 for additional information:

Monday, December 23, 2002

#3086

Phosphorimager System

William H. Sesler
Director of Purchasing

Doc. No. 028723

State of Kansas

Racing and Gaming Commission

Notice of Hearing on Proposed
Administrative Regulations

A public hearing will be conducted at 9 a.m. Thursday, February 13, in the Kansas Racing and Gaming Commission's conference room, 3400 S.W. Van Buren, Topeka, to consider the adoption of proposed permanent regulations of the Kansas Racing and Gaming Commission. This 60-day notice constitutes a public comment period for the purpose of receiving written public comments on the proposed regulations.

Any individual with a disability may request accommodation in order to participate in the public hearing and may request the proposed regulations and economic impact statements in an accessible format. Requests for accommodation should be made at least five working days in advance of the hearing by contacting the Kansas Racing and Gaming Commission, 3400 S.W. Van Buren, Topeka, 66611-2228, (785) 296-5800.

A copy of the full text of the regulations and the economic impact statements may be reviewed or obtained at the commission office. The following is a summary of the proposed regulations:

K.A.R. 112-4-1a. Concessionaire licenses. This new regulation sets forth the requirements for entities that are selling goods at the racetrack facility that are not owned

or operated by the organization licensee or facility manager licensee to be issued a concessionaire license by the commission.

Economic Impact: The costs anticipated as a result of this regulation will be absorbed by the required fees paid by the entity to secure the appropriate license from the commission and by the additional fees for background and fingerprint processing as required by the commission.

K.A.R. 112-4-1b. Racing or wagering equipment or services. This new regulation sets forth the requirements for a business not owned or operated by an organization licensee or facility manager licensee that provides integral racing or wagering equipment or services at a racetrack facility to be licensed by the commission.

Economic Impact: The costs anticipated as a result of this regulation will be absorbed by the required fees for the individual or entity to secure the appropriate licenses from the commission and by the additional fees for background and fingerprint processing as required by the commission.

K.A.R. 112-9-44. Place pick (N) pools. The amendment to this regulation would provide an avenue for dispensing monies that were left over from a carryover pool in the event that a racetrack abruptly closes. The money would be distributed to charitable organizations. The current regulation simply requires distribution to the winning patrons when the patron hits on the wager, when the specific wager caps, or at the end of the race meet. The regulation did not contemplate a track closing prior to having all carryover pool money distributed.

Economic Impact: The organization licensee would ultimately bear any expense related with dispensing any leftover carryover pool monies. The organization licensee would be obligated to distribute the earnings to legitimate charitable organizations that have acquired an exempt 501(c)(3) status with the IRS and that are located within the State of Kansas.

K.A.R. 112-11-20. Greyhound racetrack facility safety standards; specifications; prohibition of chemical use on track surface. The safety and security standards set out in this regulation generally establish qualifications for security guards at racetracks, and define procedures and facilities for safety of patrons and racing animals. The proposed amendment in subsection (g)(8) allows for a maximum of 60 crates per kennel building or, with prior approval of the animal health officer, a maximum of 72 crates per kennel building for the purpose of housing not more than one greyhound in each crate.

Economic Impact: The facility owner would ultimately bear the expense of purchasing additional crates to be used to house the additional greyhounds in the kennel if prior approval is granted by the animal health officer.

Tracy T. Diel
Acting Executive Director

Doc. No. 028713

State of Kansas

**Department of Administration
Division of Purchases**

Notice to Bidders

Sealed bids for the following items will be received by the Director of Purchases, Room 102, Landon State Office Building, 900 S.W. Jackson, Topeka, 66612, until 2 p.m. on the date indicated and then will be publicly opened. Interested bidders may call (785) 296-2377 for additional information:

Monday, December 23, 2002

05817

Fort Hays State University—Poles and Fixtures

05720

Fort Hays State University—Furnish and Install New Synthetic Turf

05723

Fort Hays State University—Furnish and Install New Track Surface

Tuesday, December 24, 2002

05706

Department of Transportation—Glass Beads for Traffic Line Paint

Thursday, December 26, 2002

05734

Department of Administration, Division of Information Systems and Communications—Furnish and Install Electrical Service

Friday, December 27, 2002

05740

Department of Wildlife and Parks—Construct Shooting Range, Reno County

Monday, December 30, 2002

05728

All Agencies of the State of Kansas—McAfee Software Administration

Friday, January 3, 2003

05675

Various Statewide Agencies—First Aid Kits and Supplies

Tuesday, January 7, 2003

A-9502

Department of Human Resources—HVAC Replacement, Salina Job Service Center, Salina

05735

Department of Transportation—School Zone Cross Walk Material

Request for Proposals

Friday, December 27, 2002

05719

Janitorial Services for the Department of Administration, Division of Facilities Management, Topeka

Tuesday, January 7, 2003

05695

Indirect Cost Allocation Rate Plan for the Department of Agriculture

Friday, January 17, 2003

05674

Student Banking Services for Wichita State University

John T. Houlihan
Director of Purchases

Doc. No. 028730

State of Kansas

**Department of Administration
Division of Facilities Management**

**Notice of Commencement of
Negotiations for Architectural Services**

Notice is hereby given of the commencement of negotiations for architectural services for the design and construction of a new sub-area/construction/geology shop for the Kansas Department of Transportation near the I-135 and Water Well Road interchange in Salina. The building will have approximately 11,040 square feet of space, subdivided into 6,150 square feet of insulated, weather-proofed, and air-conditioned office and storage space and six equipment bays of 50'0" by 16'4". At least two of the equipment bays will be heated and one designated as a wash bay. The building will be used as the headquarters of the sub-area crew. Project budget is \$1,699,360.

For information regarding the scope of services, contact Jaci Vogel, Assistant Bureau Chief, Kansas Department of Transportation, (785) 296-3576.

If interested, an original and six copies (seven total) of the SF 255 form (plus relevant attachments of information regarding similar projects) should be submitted. These submittals should be concise, relevant to the project and follow the State Building Advisory Commission guidelines for submittal. Copies of the guidelines have previously been distributed to firms; if copies of the guidelines are required, contact Gary Grimes, Division of Facilities Management, Room 152, Landon State Office Building, 900 S.W. Jackson, Topeka, 66612, (785) 368-7471. Submittals not complying with the guidelines will be returned without consideration.

Expressions of interest and the SF 255 submittals should be received by Gary Grimes before 5 p.m. December 27.

Joe Fritton, P.E.
Director, Division of
Facilities Management

Doc. No. 028720

State of Kansas

Department of Health
and Environment

Request for Comments

The Kansas Department of Health and Environment has reviewed an application from Lincoln County to modify its existing construction and demolition (C&D) landfill by developing a new disposal area across the road. The proposed landfill site is located on the west side of the road from the existing facility in the Northeast Quarter of the Northeast Quarter of Section 34, Township 11 South, Range 8 West, in Lincoln County, at 1385 N. 170th Road, Lincoln. The proposed landfill will cover approximately 5.2 acres on the 40-acre property, which is currently used for agriculture. The proposed landfill is estimated to have capacity for approximately 30,000 cubic yards of C&D waste, with the period of active landfill operation estimated at 20 years. The bottom of the landfill is proposed to be at elevations ranging from 1,426 to 1,433 feet (up to 27 feet below the natural ground surface elevations prior to excavating), and final landfill elevations will be at elevations ranging from 1,430 to 1,450 feet (approximately matching the natural ground surface elevations prior to construction).

Lincoln County has certified that the application described herein is consistent with local zoning requirements. Lincoln County also has certified that the application is consistent with the North Central Kansas Solid Waste Authority Plan. KDHE has reviewed the application and found it to be in conformance with the state solid waste regulations.

KDHE is providing public notice of its intent to issue an amended permit to Lincoln County for the proposed landfill described herein. A copy of the administrative record, including the permit application, engineering drawings, draft permit and other information regarding this permit action, will be available for public review through January 13 during normal business hours at the following locations:

Kansas Department of Health and Environment
Bureau of Waste Management
1000 S.W. Jackson, Suite 320
Topeka, 66612-1366
Contact: Pete Osborn
(785) 296-3970

Kansas Department of Health and Environment
North Central District Office
2501 Market Place, Suite D & E
Salina, 67401
Contact: Rick Brunetti
(785) 827-9639

Anyone wishing to comment on the permit modification should submit written statements postmarked not later than January 13 to Pete Osborn of KDHE (at the address listed above). KDHE will subsequently respond to all formal comments in writing.

After consideration of all formal comments received during the public notice period, KDHE will make a final decision on whether to issue the permit modification. No-

tice of the decision will be given to the applicant, to anyone who submitted written comments during the comment period, and to those who requested notice of the final permit decision.

Clyde D. Graeber
Secretary of Health
and Environment

Doc. No. 028716

State of Kansas

Kansas Development Finance Authority

Notice of Hearing

A public hearing will be conducted at 9 a.m. Thursday, December 26, in the offices of the Kansas Development Finance Authority, 555 S. Kansas Ave., Suite 202, Topeka, on the proposal for the Kansas Development Finance Authority to issue its Agricultural Development Revenue Bond for the project numbered below in the respective maximum principal amount. The bond will be issued to assist the respective borrower named below (who will be the owner and operator of the project) to finance the cost in the amount of the bond of acquiring the project or for the purpose of refunding a bond previously issued to finance the project. The project shall be located as shown:

Project No. 000554—Maximum Principal Amount: \$62,473. Owner/Operator: David P. and Stacey N. Forshée. Description: Acquisition of livestock to be used by the owner/operator for farming purposes. The project is located at the Northwest Quarter of Section 35, Lyon Township, Cloud County, Kansas, approximately 4 miles east, 2 miles north, 1 mile east and .5 mile north from Glasco.

The bond, when issued, will be a limited obligation of the Kansas Development Finance Authority and will not constitute a general obligation or indebtedness of the State of Kansas or any political subdivision thereof, including the Authority, nor will it be an indebtedness for which the faith and credit and taxing powers of the State of Kansas are pledged. The bond will be payable solely from amounts received from the respective borrower, the obligation of which will be sufficient to pay the principal of, interest and redemption premium, if any, on the bond when it becomes due.

All individuals who appear at the hearing will be given an opportunity to express their views, and all written comments previously filed with the Authority at its offices at 555 S. Kansas Ave., Suite 202, Topeka, 66603, will be considered. Additional information regarding the project may be obtained by contacting the Authority.

Any individual affected by the above-described project may, at or prior to the hearing, file a written request with the Authority that a local hearing be held on the proposal to issue a bond to finance said project. A local hearing, if requested, would be conducted in the county where the project in question is located.

Jack H. Brier
President

Doc. No. 028722

State of Kansas

**Department of Health
and Environment****Request for Comments**

The Kansas Department of Health and Environment is soliciting comments regarding a proposed air quality operating permit. Phillips Pipeline Company - Wichita Terminal has applied for a Class I operating permit in accordance with the provisions of K.A.R. 28-19-510 et seq. The purpose of a Class I permit is to identify the sources and types of regulated air pollutants emitted from the facility; the emission limitations, standards and requirements applicable to each source; and the monitoring, record keeping and reporting requirements applicable to each source as of the effective date of permit issuance.

Phillips Pipeline Company - Wichita Terminal, Bartlesville, Oklahoma, owns and operates a gasoline terminal located at 2400 E. 37th St. North, Wichita, Sedgwick County, Kansas.

A copy of the proposed permit, permit application, all supporting documentation and all information relied upon during the permit application review process is available for a 30-day public review during normal business hours at the KDHE, Bureau of Air and Radiation, 1000 S.W. Jackson, Suite 310, Topeka; and at the Wichita-Sedgwick County Dept. of Community Health, 1900 E. 9th, Wichita. To obtain or review the proposed permit and supporting documentation, contact Xiao Wu, (785) 296-1615, at the KDHE central office; or Randy Owen, (316) 268-8448, at the Wichita-Sedgwick County Dept. of Community Health. The standard departmental cost will be assessed for any copies requested.

Direct written comments or questions regarding the proposed permit to Xiao Wu, KDHE, Bureau of Air and Radiation, 1000 S.W. Jackson, Suite 310, Topeka, 66612-1366. In order to be considered in formulating a final permit decision, written comments must be received by the close of business January 13.

A person may request a public hearing be held on the proposed permit. The request for a public hearing shall be in writing and set forth the basis for the request. The written request must be submitted to Connie Carreno, Bureau of Air and Radiation, not later than the close of business January 13 in order for the Secretary of Health and Environment to consider the request.

The U.S. Environmental Protection Agency has a 45-day review period, which will start concurrently with the 30-day public comment period, within which to object to the proposed permit. If the EPA has not objected in writing to the issuance of the permit within the 45-day review period, any person may petition the administrator of the EPA to review the permit. The 60-day public petition period will directly follow the EPA 45-day review period. If the EPA waives its 45-day review period, the 60-day public petition period will start directly after the 30-day public comment period. Interested parties may contact KDHE to determine if the EPA's 45-day review period has been waived.

Any such petition shall be based only on objections to the permit that were raised with reasonable specificity during the public comment period provided for in this

notice, unless the petitioner demonstrates that it was impracticable to raise such objections within such period, or unless the grounds for such objection arose after such period. Contact Gary Schlicht, U.S. EPA, Region VII, Air Permitting and Compliance Branch, 901 N. 5th St., Kansas City, KS 66101, (913) 551-7097, to determine when the 45-day EPA review period ends and the 60-day petition period commences.

Clyde D. Graeber
Secretary of Health
and Environment

Doc. No. 028717

State of Kansas

**Department of Health
and Environment****Request for Comments**

The Kansas Department of Health and Environment has drafted a permit for The Flat Mat Shoppe waste tire processing facility. This facility will be located in the Southeast 1/4 of Section 36, Township 13S, Range 17W, Ellis County, at 2701 Cathedral, Victoria. KDHE is providing public notice of its intent to issue a waste tire processing facility permit to The Flat Mat Shoppe. The prospective permittee recently made submittals that place this waste tire processing facility in substantial compliance with state regulations. KDHE has drafted a permit to reflect these submittals.

A copy of the administrative record, which includes the draft permit and all information regarding this permit action, is available for public review through January 13 during normal business hours, Monday through Friday, at the following locations:

Kansas Department of Health and Environment
Solid Waste Permits Section
Bureau of Waste Management
1000 S.W. Jackson, Suite 320
Topeka, 66612-1366
Contact: Ken Powell
(785) 296-1121

Victoria City Clerk
1005 4th, P.O. Box 87
Victoria, 67671-0087
Contact: Mary Pfeifer, Clerk
(785) 735-2259

Anyone wishing to comment on the draft permit information should submit written statements postmarked not later than Monday, January 13 to Ken Powell (KDHE). After consideration of all comments received, the director of the Division of Environment will make a final decision on whether to issue the permit. Notice of the decision will be given to anyone who submitted written comments during the comment period and to those who requested notice of the final permit decision.

Clyde D. Graeber
Secretary of Health
and Environment

Doc. No. 028715

State of Kansas

Department of Health
and EnvironmentNotice Concerning Kansas
Water Pollution Control Permits

In accordance with Kansas Administrative Regulations 28-16-57 through 63, 28-18-1 through 15, 28-18a-1 through 32, 28-16-150 through 154, 28-46-7, and the authority vested with the state by the administrator of the U.S. Environmental Protection Agency, draft permits have been prepared and/or permit applications have been received for discharges to the waters of the United States and the State of Kansas for the class of discharges described below.

The determinations for permit content are based on staff review, applying the appropriate standards, regulations and effluent limitations of the State of Kansas and the EPA, and when issued will result in a State Water Pollution Control Permit and National Pollutant Discharge Elimination System Authorization subject to certain conditions.

All Kansas Department of Health and Environment district office addresses and telephone numbers are listed below.

Public Notice No. KS-AG-02-312/321

Pending Permits for Confined Feeding Facilities

Name and Address of Applicant	Legal Description	Receiving Water
Monty Cudney, dba Cudney Farm 9464 S.W. 10th St. Columbus, KS 66725	SE/4 of Section 35, T34S, R23E, Cherokee County	Neosho River Basin

Kansas Permit No. A-NECK-F013

This is a permit renewal for an existing facility for a maximum of 33,000 head (594 animal units) of turkeys.

Solid waste will be stockpiled for subsequent application to agricultural land for beneficial use. Solids storage capacity is provided that meets or exceeds KDHE minimum requirements. The manure/waste management plan developed by the designer and approved by the department shall be adhered to as a condition of the permit.

Name and Address of Applicant	Legal Description	Receiving Water
John and Kenna Hutto 6663 S.E. Messer Road Galena, KS 66739	SW/4 of Section 19, T33S, R25E, Cherokee County	Neosho River Basin

Kansas Permit No. A-NECK-S006

This is a renewal permit for an existing facility for 1500 head (600 animal units) of swine weighing greater than 55 pounds.

Wastewater will be impounded for subsequent application to agricultural land for beneficial use. Wastewater storage capacity is provided that meets or exceeds KDHE minimum requirements. The manure/waste management plan developed by the designer and approved by the department shall be adhered to as a condition of the permit.

Name and Address of Applicant	Legal Description	Receiving Water
Maple Creek Farms, LLC - Wasinger Sites P.O. Box 1598 Leoti, KS 67861	W/2 of Section 28, T20S, R32W, Scott County	Upper Arkansas River Basin

Kansas Permit No. A-UASC-H006 Federal Permit No. KS0094862

This is a permit for an expanding facility for a final maximum of 21,600 head (8,640 animal units) of finishing swine. The original (Wasinger Site) permit capacity of 10,800 head (4,320 animal units) plus an ex-

pansion (Wasinger Site 2) of 10,800 head (4,320 animal units.) The expansion (Wasinger 2) includes 10 enclosed buildings and a waste control system with one anaerobic lagoon and one evaporative pond, to be built south of the existing Maple Creek Farms - Wasinger facility.

Permeability tests shall be conducted on the earthen wastewater retention structure(s) for the Wasinger 2 site. Permeability tests shall be completed after the soil liner(s) have been compacted and prior to placing the earthen wastewater retention structure(s) into service.

Dewatering equipment shall be kept on-site or at the shop facility in Wichita County. Annually, due each January 1, a written dewatering equipment list shall be submitted to the department.

Wastewater will be impounded for subsequent application to agricultural land for beneficial use. Wastewater storage capacity is provided that meets or exceeds KDHE minimum requirements.

Name and Address of Applicant	Legal Description	Receiving Water
Metzger Farms Route 2, Box 66 Seneca, KS 66538	S/2 & NE/4 of Section 16 & S/2 of Section 9, T02S, R13E, Nemaha County	Missouri River Basin

Kansas Permit No. A-MONM-M023

This is a new permit for an existing facility for 1,120 head (448 animal units) of swine greater than 55 pounds, 300 head (30 animal units) of swine 55 pounds or less, 250 head of cattle (250 animal units) greater than 700 pounds, 140 head dairy cows (196 animal units) and 40 head dry dairy cows and heifers (40 animal units) and 60 dairy calves (30 animal units), for a total of 994 animal units.

Wastewater will be impounded for subsequent application to agricultural land for beneficial use. Wastewater storage capacity is provided that meets or exceeds KDHE minimum requirements. The manure/waste management plan most recently approved by the department shall be adhered to as a condition of the permit.

Name and Address of Applicant	Legal Description	Receiving Water
David Pfrang Route 2, Box 98B Goff, KS 66428	N/2 of Section 4 T05S, R13E, Nemaha County	Kansas River Basin

Kansas Permit No. A-KSNM-B004

This is a new permit for an existing facility for 100 head (100 animal units) of cattle greater than 700 pounds and 100 head (50 animal units) of cattle 700 pounds or less and 360 head (144 animal units) of swine greater than 55 pounds for a total of 294 animal units.

Wastewater will be impounded for subsequent application to agricultural land for beneficial use. Wastewater storage capacity is provided that meets or exceeds KDHE minimum requirements. The manure/waste management plan most recently approved by the department shall be adhered to as a condition of the permit.

Name and Address of Applicant	Legal Description	Receiving Water
Edward Pfrang Route 2, Box 52 Goff, KS 66428	N/2 of Section 23, T03S, R13E, Nemaha County	Missouri River Basin

Kansas Permit No. A-MONM-S008

This is a renewal of a current permit for an existing facility for 484 head (193.6 animal units) of swine greater than 55 pounds and 440 head (44 animal units) of swine 55 pounds or less and 350 head (350 animal units) of cattle greater than 700 pounds, for a total of 587.6 animal units.

Wastewater will be impounded for subsequent application to agricultural land for beneficial use. Wastewater storage capacity is provided that meets or exceeds KDHE minimum requirements. The manure/waste management plan most recently approved by the department shall be adhered to as a condition of the permit.

Name and Address of Applicant	Legal Description	Receiving Water
Rex Schoen, dba Slash X Ranch HC34 Box 252 Dodge City, KS 67801	SW/4 of Section 02, T25S, R25W, Ford County	Upper Arkansas River Basin

Kansas Permit No. A-UAFO-B003

This is a renewal permit for an existing facility for 600 head (600 animal units) of beef cattle.

Soil sampling and analysis shall be conducted on soils from fields determined by the department to be located in a sensitive groundwater area and that have received manure or wastewater within the five-year permit cycle.

Wastewater will be impounded for subsequent application to agricultural land for beneficial use. Wastewater storage capacity is provided that meets or exceeds KDHE minimum requirements. The manure/waste management plan developed by the designer and approved by the department shall be adhered to as a condition of the permit.

Name and Address of Applicant	Legal Description	Receiving Water
Stone Farms, c/o Charles Stone 8529 S.W. 90th St. Chetopa, KS 67336	SW/4 of Section 27, T34S, R22E, Cherokee County	Neosho River Basin

Kansas Permit No. A-NECK-F011

This is a renewal permit for an existing facility for a maximum of 33,000 head (594 animal units) of turkeys.

Soil sampling and analysis shall be conducted on soils from fields determined by the department to be located in a sensitive groundwater area and that have received manure or wastewater within the five-year permit cycle.

Solid waste will be stockpiled for subsequent application to agricultural land for beneficial use. Solids storage capacity is provided that meets or exceeds KDHE minimum requirements. The manure/waste management plan developed by the designer and approved by the department shall be adhered to as a condition of the permit.

Name and Address of Applicant	Legal Description	Receiving Water
Marshall Thompson dba Thompson & Thompson Feed Yard HC 2, Box 53 Burdett, KS 67523	SW/4 of Section 21, T21S, R20W, Pawnee County	Upper Arkansas River Basin

Kansas Permit No. A-UAPN-B001

This is a renewal permit for an existing facility for 600 head (600 animal units) of beef cattle.

Soil sampling and analysis shall be conducted on soils from fields determined by the department to be located in a sensitive groundwater area and that have received manure or wastewater within the five-year permit cycle.

Permeability tests shall be conducted on the earthen wastewater retention structure. Permeability tests shall be completed within six months of permit issuance.

Wastewater will be impounded for subsequent application to agricultural land for beneficial use. Wastewater storage capacity is provided that meets or exceeds KDHE minimum requirements. The manure/waste management plan developed by the designer and approved by the department shall be adhered to as a condition of the permit.

Name and Address of Applicant	Legal Description	Receiving Water
Kenneth and Bonnie Feist dba Timberline Farm 3581 S.W. 110th St. Chetopa, KS 67336	SW/4 of Section 32, T33S, R22E, Cherokee County	Neosho River Basin

Kansas Permit No. A-NECK-F012

This is a renewal permit for an existing facility for a maximum of 33,000 head (594 animal units) of turkeys.

Soil sampling and analysis shall be conducted on soils from fields determined by the department to be located in a sensitive groundwater area and that have received manure or wastewater within the five-year permit cycle.

Solid waste will be stockpiled for subsequent application to agricultural land for beneficial use. Solids storage capacity is provided that meets or exceeds KDHE minimum requirements. The manure/waste management plan developed by the designer and approved by the department shall be adhered to as a condition of the permit.

Public Notice No. KS-02-179/183

Name and Address of Applicant	Waterway	Type of Discharge
Kansas General Permit for Stormwater Runoff from Construction Activities	Waters of the State	Stormwater Runoff

Kansas General Permit No. S-MCST-0110-1

Description: The proposed action is to provide new information in the general permit for stormwater runoff from construction activities by revising two sections and adding a third. The revisions and addition will (1) allow geologists and architects, in addition to the professionals previously listed, to prepare construction stormwater pollution prevention plans, (2) provide updated contact information for certified professionals in erosion and sediment control, and (3) include information confirming the exclusion of routine maintenance projects from stormwater permit requirements. These modifications are minor changes that do not change the technical requirements of the general permit. Copies of the changed pages are available at the address listed at the end of this public notice.

Name and Address of Applicant	Waterway	Type of Discharge
Chanute, City of P.O. Box 907 Chanute, KS 66720-0907	Neosho River via Turkey Creek via Little Turkey Creek	Treated Domestic Wastewater

Kansas Permit No. M-NE11-0001 Federal Permit No. KS0080837

Legal: SW¼, NE¼, S33, T27S, R18E, Neosho County

Facility Description: The proposed action is to reissue an existing permit for operation of an existing wastewater treatment facility treating primarily domestic wastewater. The proposed permit includes limits for biochemical oxygen demand, total suspended solids, ammonia, fecal coliform and pH. Monitoring of total phosphorus, total Kjeldahl nitrogen, nitrate, nitrite and effluent flow also will be required. A whole effluent toxicity test (WET) is to be conducted annually. A priority pollutant scan is to be conducted during the third quarter of 2007. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and Federal Surface Water Criteria, and are water-quality based.

Name and Address of Applicant	Waterway	Type of Discharge
Tanglewood Lakes Homeowners Assn. Route 2, Box T306 La Cygne, KS 66040	Marais des Cygnes River via Big Sugar Creek via Turkey Creek via Unnamed Tributary	Treated Domestic Wastewater

Kansas Permit No. C-MC26-0001 Federal Permit No. KS0081621

Legal: SE¼, SE¼, SE¼, S26, T20S, R23E, Linn County

Facility Description: The proposed action is to reissue a permit for operation of an existing wastewater treatment facility treating primarily domestic wastewater. The proposed permit includes limits for biochemical oxygen demand, total suspended solids and pH. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and Federal Surface Water Criteria, and are technology based.

Name and Address of Applicant	Waterway	Type of Discharge
Higgins Stone Company Route 1, Box 472 Maple Hill, KS 66507	Kansas River via Mission Creek	Pit Dewatering & Stormwater Runoff

Kansas Permit No. I-KS92-PO01 Federal Permit No. KS0095460

Legal: S17, T13S, R13E, Wabaunsee County

Facility Description: The proposed action is to issue a new permit for the discharge of wastewater during quarry operation. The facility is a limestone quarry, sawing and rock splitting operation without washing. Water containing rock fines is directed to three in-series sedimentation ponds (Outfall 001). Stormwater runoff from the site is directed to the second pond. Discharge from the third pond only occurs after a heavy rain. Water from all three ponds is used as the water supply. Water from the second pond is used to cool blades that are used to saw rock. The proposed permit includes limits for total suspended solids and pH for outfall 001. Outfall 001a (storm-

(continued)

water discharges) are limited by generic water quality language to protect waters of the state. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and Federal Surface Water Criteria, and are water-quality based.

Name and Address of Applicant	Waterway	Type of Discharge
Olathe Aggregates Asphalt Sales 23200 W. 159th St. Olathe, KS 66061	Kansas River via Cedar Creek via Unnamed Tributary	Pit Dewatering & Stormwater Runoff

Kansas Permit No. I-KS52-PO07 Federal Permit No. KS0089290

Legal: NE¼, S16, T14S, R23E, Johnson County

Facility Description: The proposed action is to reissue an existing permit for the discharge of wastewater during quarry operation. This facility is a limestone crushing operation without washing. This facility also has an asphalt plant on-site. Stormwater runoff from the asphalt plant and quarry areas is directed to a settling pond. Water from the quarry settling pond also is used for on-site dust control. The proposed permit includes language for generic water quality language to protect waters of the state. A construction/demolition (C/D) landfill also is on-site. The C/D landfill area generates leachate, which is pumped to a holding pond. This C/D leachate holding pond does not discharge and is permitted under a separate permit, issued by the Bureau of Waste Management. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and Federal Surface Water Criteria, and are water-quality based.

Public Notice No. KS-ND-02-057/058

Name and Address of Applicant	Legal Location	Type of Discharge
Kaw Valley Girl Scout Council, Inc. P.O. Box 4314 Topeka, KS 66604-0314	W½, SE¼, SE¼, S2, T13S, R13E, Shawnee County	Nonoverflow

Facility Name: Camp Daisy Hindman

Facility Location: 7250 S. W. Douglas Road, Dover, Kansas

Kansas Permit No. C-KS99-NO01

Facility Description: The proposed action is to reissue an existing permit for operation of an existing wastewater treatment facility treating domestic wastewater. Included in this permit is a schedule of compliance requiring the permittee to obtain the services of a KDHE-certified wastewater treatment plant operator to achieve compliance with its permit. Discharge of wastewater from this treatment facility to surface waters of the State of Kansas is prohibited by this permit. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f).

Name and Address of Applicant	Legal Location	Type of Discharge
Jennings, City of P.O. Box 2 Jennings, KS 67643-0002	E½, SE¼, NW¼, and W½, SW¼, NE¼, S25, T4S, R27W, Decatur County	Nonoverflow

Kansas Permit No. M-UR11-NO01

Facility Description: The proposed action is to reissue an existing permit for operation of an existing wastewater treatment facility treating domestic wastewater. Included in this permit is a schedule of compliance requiring the permittee to obtain the services of a KDHE-certified wastewater treatment plant operator to achieve compliance with their permit. Discharge of wastewater from this treatment facility to surface waters of the State of Kansas is prohibited by this permit. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f).

Persons wishing to comment on or object to the draft permits and/or permit applications must submit their comments in writing to the Kansas Department of Health and Environment if they wish to have the comments or objections considered in the decision making process. Comments or objections should be submitted to the attention of Glenda Newquist for agricultural permits or

applications, or to the permit clerk for all other permits, at the Kansas Department of Health and Environment, Division of Environment, Bureau of Water, 1000 S.W. Jackson, Suite 420, Topeka, 66612-1367.

All comments regarding the draft permit or application notice postmarked or received on or before January 11 will be considered in the formulation of final determinations regarding this public notice. Please refer to the appropriate Kansas permit number (KS-AG-02-312/321, KS-02-179/183, KS-ND-02-057/058) and name of applicant/application as listed when preparing comments. If no objections are received during the public notice period regarding any proposed permit, the Secretary of Health and Environment will issue the final determination regarding issuance or denial of the proposed permit. If response to this notice indicates significant public interest, a public hearing may be held in conformance with K.A.R. 28-16-61 (28-46-21 for UIC). Media coordination for publication and/or announcement of the public notice or public hearing is handled by the Kansas Department of Health and Environment.

For agricultural permits and applications, a copy of the permit application, supporting documentation and a KDHE-developed fact sheet, if appropriate, is available for review at the appropriate district office:

Northwest District Office, 2301 E. 13th, Hays,
67601-2651, (785) 625-5664

North Central District Office, 2501 Market Place,
Salina, 67401-7699, (785) 827-9639

Northeast District Office, 800 W. 24th, Lawrence,
66046-4417, (785) 842-4600

Southwest District Office, 302 W. McArtor Road,
Dodge City, 67801-6098, (620) 225-0596

South Central District Office, 130 S. Market, 6th Floor,
Wichita, 67202-3802, (316) 337-6020

Southeast District Office, 1500 W. 7th, Chanute, 66720,
(620) 431-2390

Application information and components of plans and specifications for all new facilities and for expansions of existing swine facilities may be reviewed on the Internet at <http://www.kdhe.state.ks.us/feedlots>.

For all other proposed permits, the draft permit(s), including proposed effluent limitations and special conditions, fact sheets as appropriate, comments received and other information, are on file and may be inspected at the offices of the Kansas Department of Health and Environment, Bureau of Water.

Division of Environment offices are open from 8 a.m. to 5 p.m. Monday through Friday, excluding holidays. These documents are available upon request at the copying cost assessed by KDHE. Additional copies of this public notice also may be obtained at the Division of Environment.

Clyde D. Graeber
Secretary of Health
and Environment

Doc. No. 028725

State of Kansas

Department of Administration

Public Notice

Under requirements of K.S.A. 2001 Supp. 65-34,117 (c), records of the Division of Accounts and Reports show the unobligated balances are \$4,438,893.76 in the underground petroleum storage tank release trust fund and \$706,191.80 in the aboveground petroleum storage tank release trust fund at November 30, 2002.

Joyce Glasscock
Secretary of Administration

Doc. No. 028719

State of Kansas

Department of Health
and Environment

Notice of Hearing

A public hearing will be conducted at 3 p.m. Tuesday, January 14, in the Azure Conference Room, fourth floor, Curtis State Office Building, 1000 S.W. Jackson, Topeka, to discuss the Kansas Public Water Supply Loan Fund (KPWSLF) Intended Use Plan (IUP) for fiscal year 2003 funding. Copies of the IUP can be obtained by calling Linda White at (785) 296-5514, fax (785) 296-5509.

Any individual with a disability may request accommodation to participate in the public hearing. Requests for accommodation should be made at least five working days before the hearing by contacting Linda White.

Comments can be presented at the hearing or in writing prior to the hearing. Written comments should be addressed to Linda White, Bureau of Water, Kansas Department of Health and Environment, 1000 S.W. Jackson, Suite 420, Topeka, 66612.

Clyde D. Graeber
Secretary of Health
and Environment

Doc. No. 028726

State of Kansas

Department of Agriculture

Permanent Administrative
Regulations

Article 13.—PESTICIDES

4-13-25. Bulk pesticide storage and handling of pesticides; definitions. As used in K.A.R. 4-13-25 through 4-13-25k, the following terms shall be defined as follows:

(a) "Appurtenance" means any valve, pump, fitting, pipe, hose, auger, metering device, and dispensing device connected to a storage container. "Dispensing device" shall include any device that is used to transfer bulk pesticides into or out of a container.

(b) "Bulk pesticide" means any pesticide, whether liquid or solid, that is kept at a standard temperature and pressure and is stored in an individual container of un-

divided capacity in quantities identified in K.A.R. 4-13-25b.

(c) "Bulk pesticide container" means any receptacle or device in which a pesticide is stored, mixed, treated, disposed of, or handled in any manner in quantities identified in K.A.R. 4-13-25b.

(d) "Bulk pesticide storage facility" and "facility" mean any warehouse, loading pad, or other area where a bulk pesticide is stored, mixed, loaded, or unloaded, unless otherwise exempted. Each bulk pesticide storage facility located within 300 feet of another facility owned or operated by the same person shall be considered the same facility for the purpose of finding the number of consecutive days in storage and determining whether the facility is exempt from the requirements of K.A.R. 4-13-25 through K.A.R. 4-13-25l.

(e) "Chemically compatible" means that the material will not react chemically adversely or electrolytically adversely to the bulk pesticide being stored, loaded, unloaded, mixed, or handled.

(f) "Discharge" means any spilling, leaking, depositing, pumping, dumping, or emptying, whether accidental or intentional, resulting in the release of a pesticide at a bulk pesticide storage facility. "Discharge" shall not include the lawful transferring, loading, unloading, repackaging, refilling, distributing, using, disposing, or application of a pesticide. This term shall also exclude the normal washing and rinsing activities on a mixing and loading pad.

(g) "Dry pesticide" means any bulk pesticide that is in solid form before any end-use application or before any mixing for end-use application. This term shall include making formulations including dusts, powders, and granules.

(h) "End-use application" means the application of a pesticide by the owner or lessee of the real property upon which the application is made to control a pest covered by the pesticide label.

(i) "Flood plain" means an area at one percent or greater risk of flood occurrence in any given year.

(j) "Gallon" means the United States standard measure of a gallon.

(k) "Inspection port" means a secured opening that allows access into the interior of a bulk pesticide storage container for the purpose of inspection.

(l) "Liquid bulk pesticide" means any bulk pesticide in liquid form before dilution for end-use application. This term shall include solutions, emulsions, suspensions, slurries, and gels.

(m) "Mixing and loading pad" and "pad" mean a surface designed to provide containment of a pesticide during the loading, unloading, mixing, or handling of a pesticide, or during the cleaning, rinsing, or refilling of a pesticide container.

(n) "Mobile container" means a bulk pesticide container that is designed and used for transporting bulk pesticides.

(o) "Owner or operator" shall include any agent or employee of an owner or operator and mean any of the following:

(continued)

(1) A dealer of pesticides as defined by K.S.A. 2-2469 and amendments thereto;

(2) a pesticide business licensee as defined by K.S.A. 2-2438a(p) and amendments thereto;

(3) a government agency registrant as addressed in K.S.A. 2-2440(e) and amendments thereto;

(4) a certified private applicator, as defined by K.S.A. 2-2438a(c)(2) and amendments thereto, of a bulk pesticide storage facility; or

(5) any other individual responsible for the bulk storage of pesticides as defined by subsection (b).

(p) "Permanent cessation of operations" means either of the following:

(1) No pesticides have been loaded, unloaded, or stored at the facility for 12 consecutive months.

(2) The facility has gone out of business and is no longer a going concern.

(q) "Primary containment" means the bulk pesticide container. However, synthetic container liners incapable of containing bulk pesticides independent of the support of another container shall not be considered primary containment.

(r) "Reasonably foreseeable" means what the secretary determines would have been foreseeable at the time the decision affecting the facility or its condition was made. "Reasonable foreseeability" shall include consideration of the owner's or operator's knowledge of conditions at the time the condition was created or the decision was made.

(s) "Reportable event" means any release of pesticide from a facility not contained by secondary containment that is required to be reported to the secretary of agriculture.

(t) "Secondary containment" means any structure, tank, or container that is designed, constructed, and maintained to intercept, hold, contain, or confine a discharge of pesticide from primary containment and to contain spills, prevent runoff, and avoid leaching.

(u) "Sump" means a recessed reservoir or catch basin designed to be a receptacle for the collection of liquids in the floor of secondary containment or in the part of the secondary containment that constitutes the loading pad. (Authorized by and implementing K.S.A. 2-2467a and 2-2471; effective May 1, 1985; amended Dec. 27, 2002.)

4-13-25a. Exemptions. (a) The regulations found in K.A.R. 4-13-25 through K.A.R. 4-13-25k shall not apply to any of the following:

(1) A mobile container of 350-gallon capacity or less, if the use of the container is solely incidental to the end-use application of the bulk pesticide and if the container is not at a specific location for more than 60 days of storage in any consecutive 365-day period;

(2) a sealed or an unopened pesticide manufacturer's storage container being loaded or unloaded;

(3) a railcar in which the storage of bulk pesticides is solely incidental to the transportation of the pesticide and that remains on a train track; or

(4) a bulk pesticide stored, loaded, or unloaded in quantities less than all the quantities specified in K.A.R. 4-13-25b.

(b) The owner or operator of a facility shall have the burden of establishing the applicability of an exemption under paragraph (a)(4) of this regulation.

(c) Contemporaneously kept records maintained pursuant to K.A.R. 4-13-25k shall constitute prima facie evidence of an exemption. (Authorized by and implementing K.S.A. 2-2467a and 2-2471; effective Dec. 27, 2002.)

4-13-25b. Quantities of bulk pesticide. (a) A bulk pesticide shall be subject to the requirements of K.A.R. 4-13-25 through K.A.R. 4-13-25l if it is stored, loaded, or unloaded in a container designed for either of the following:

(1) Quantities greater than 55 gallons liquid measure; or

(2) quantities greater than 100 pounds net dry weight.

(b) A facility shall be subject to the requirements of K.A.R. 4-13-25 through K.A.R. 4-13-25l if either of the following conditions is met:

(1) A cumulative total of 1,000 gallons or more of liquid bulk pesticide is transferred away from the facility during any consecutive 365-day period.

(2) A cumulative total of 3,000 pounds or more of dry bulk pesticide is transferred away from the facility during any consecutive 365-day period. (Authorized by and implementing K.S.A. 2-2467a and 2-2471; effective Dec. 27, 2002.)

4-13-25c. Location, design, and construction requirements of a bulk pesticide storage facility. Each owner or operator shall meet the following requirements:

(a) Each bulk pesticide storage facility shall be designed, constructed, and maintained according to the pesticide manufacturers' directions, instructions, or recommendations. The facility shall be constructed of materials that contain spills, prevent runoff, and avoid leaching of the pesticide being mixed, loaded, or unloaded. Construction materials shall be chemically compatible with the pesticides that come in contact with the material. The facility shall be designed, constructed, and maintained to accommodate all reasonably foreseeable loading and unloading conditions, including the anticipated wheel load of a vehicle or collision of a vehicle with a container or an appurtenance. Asphalt shall not be used as a material in the construction of a facility. Reasonable alternatives in materials and design that adequately serve the intended purpose shall be considered.

(b) No bulk pesticide storage facility shall be constructed or maintained in a flood plain unless the bulk pesticide is stored above the base flood elevation.

(c) The floor of each bulk pesticide storage facility shall be constructed of material that prevents the movement of pesticide materials and moisture through the floor and shall be designed, constructed, and maintained in a manner that allows discharges to be collected, contained, and recovered.

(d) All electrical equipment and wiring shall be elevated to prevent the equipment and wiring from becoming submerged and shall be grounded to dissipate static electricity.

(e) Both private and public water supplies shall be protected from contamination from the bulk pesticide storage facility.

(f) Each bulk pesticide storage facility shall contain a mixing and loading pad.

(g) Each bulk pesticide storage facility shall be secured to protect against reasonably foreseeable unauthorized access that could result in a discharge of pesticides.

(h) Each bulk pesticide storage facility shall be designed, constructed, and maintained to prevent contact of any dry bulk pesticide with precipitation. Contact with precipitation shall be prevented by use of a permanent cover.

(i) Each bulk pesticide storage facility shall be designed, constructed, and maintained to avoid the creation of pesticide waste and to prevent cross-contamination of pesticides.

(j) Bulk pesticides shall not be stored or mixed in underground containers. (Authorized by and implementing K.S.A. 2-2467a and 2-2471; effective Dec. 27, 2002.)

4-13-25d. Secondary containment for bulk pesticide storage. Each owner or operator shall meet the following requirements: (a) All bulk pesticide shall be stored within secondary containment. The secondary containment shall contain a minimum of 110 percent of the capacity of the largest single bulk pesticide container in addition to the displacement of tanks, appurtenances, fixtures, equipment, and material located within the secondary containment.

(b) The secondary containment shall be constructed of sufficient thickness, density, and composition to contain any discharged material and shall be leakproof with cracks, seams, and joints sealed.

(c) The floor of the secondary containment shall drain to a sump.

(d) The sump shall be drained by an on-site operator.

(e) Any outlet or drain within the secondary containment shall be permanently plugged and sealed. The secondary containment exterior shall not have a relief outlet or valve. Sanitary and storm sewer drains shall not be located within the secondary containment.

(f) Secondary containment shall be constructed to allow the interior and exterior of the walls to be viewed.

(g) A soil liner shall not be considered adequate for the secondary containment of pesticides. Masonry block, clay, natural soil-clay mixtures, clay-bentonite mixtures, and prefabricated bentonite liners shall not be used as secondary containment. However, sealant-coated concrete blocks may be used if the facility owner's or operator's use of the blocks is approved in writing by the manufacturer of the pesticide.

(h) A synthetic liner used to line the secondary containment shall be installed and maintained according to the liner manufacturer's specifications, directions, and recommendations. The specifications, directions, and recommendations about liners from the manufacturers of the pesticides stored in the facility shall also be followed. All seams shall be tested, maintained, and repaired according to the manufacturer's specifications, directions, and recommendations. The liner shall be replaced if it cannot be repaired to meet the requirements of K.A.R. 4-13-25 through K.A.R. 4-13-25l. In no event shall a liner that is incapable of containing bulk pesticides independent of the support of another container be used in lieu of secondary containment. (Authorized by and implementing K.S.A. 2-2467a and 2-2471; effective Dec. 27, 2002.)

4-13-25e. Requirements for mixing and loading pads for bulk pesticides. Each owner or operator shall meet the following requirements: (a) Each mixing and loading pad not connected to a storage area shall be of adequate size and design to contain at least 110 percent of the capacity of the container or tank on the pad and the displacement of tanks, equipment, appurtenances, fixtures, and material located on the pad.

(b) Each mixing and loading pad shall be constructed to contain any discharge and shall be leakproof with all cracks, seams, and joints sealed. The pad shall be impervious to spills and capable of supporting the weight of the heaviest vehicle plus all loading, unloading, and mixing operations. The mixing and loading pad shall drain liquids to a sump or other discrete point of recovery. The mixing and loading pad shall not have any recovery points other than to a sump or other discrete recovery point.

(c) The sump shall be drained by an on-site operator. (Authorized by and implementing K.S.A. 2-2467a and 2-2471; effective Dec. 27, 2002.)

4-13-25f. Requirements for storage containers and appurtenances for bulk pesticides. Each owner or operator shall meet the following requirements: (a) Each bulk pesticide container shall be designed to handle all operating stresses, including static pressure, pressure buildup from pumps and compressors, and any other mechanical stresses to which the storage container may be subject during operations. Each bulk pesticide container shall be chemically compatible with the pesticide it holds and shall meet all specifications, directions, and recommendations of the manufacturers of the pesticide and bulk pesticide container.

(b) Every bulk pesticide container connection, except for safety relief connections, shall be equipped with a shutoff valve accessible and located within the secondary containment. Shut-off valves shall be left closed and secured except while the stored pesticide is being removed from the container.

(c) Bulk pesticide containers and appurtenances shall be adequately supported to prevent sagging.

(d) Sight gauges shall not be permitted on storage containers.

(e) Each bulk pesticide container that is not located within a structure with a roof and walls shall be designed, installed, and maintained to prevent flotation and to withstand winds of 90 miles per hour or less.

(f) Each bulk pesticide container shall be designed to protect against excessive internal pressure or vacuum.

(g) Each bulk pesticide container used for storage shall be marked clearly to identify the pesticide stored in the container. (Authorized by and implementing K.S.A. 2-2467a and 2-2471; effective Dec. 27, 2002.)

4-13-25g. Discharge, recovery, and reporting requirements. (a) Each owner or operator shall recover promptly any discharge of a pesticide. The owner or operator may use the recovered pesticide for its intended purpose if it can be used according to the recovered pesticide's label or labeling. The owner or operator shall dis-

(continued)

pose of, in accordance with the label, any recovered pesticide that cannot be used.

(b) The owner or operator shall notify the secretary within 48 hours of any reportable event. (Authorized by and implementing K.S.A. 2-2467a and 2-2471; effective Dec. 27, 2002.)

4-13-25h. Submission of structural plans. (a) Within one year following the effective date of this regulation, the owner or operator of each existing or proposed bulk pesticide storage facility shall submit to the secretary a diagram, plans, and specifications of the facility. The plans and specifications shall include the existing or proposed facility layout, mechanical and electrical diagrams, construction materials, and the type of equipment that is located in the facility or that is to be fixed or installed in the facility. The diagram shall be drawn to scale and shall be legible without magnification.

(b) The diagram, plans, and specifications of the bulk pesticide storage facility shall be submitted in a form prescribed by the secretary and, at a minimum, shall contain the following information:

- (1) The location of the facility relative to the flood plain;
- (2) the location of the facility relative to any surface water within 1,320 feet of the facility and the distance between the facility and the surface water;
- (3) the distance from both the facility and the area within 100 feet of the facility to groundwater, and the location of the groundwater relative to the facility;
- (4) the location of any plumbing and access to private and public water supplies and the distance from the plumbing and access to the private and public water supplies;
- (5) the drainage pattern of the facility;
- (6) certification that the facility is not located on any abandoned or active oil, gas, or water well;
- (7) certification that the facility is not located on a utility easement;
- (8) the size and location of the proposed walls and flooring to be located within the facility;
- (9) the location and size of each bulk pesticide storage container;
- (10) the location and size of each loading and mixing pad;
- (11) the location of each appurtenance used in the storage or transfer of bulk pesticide within the facility;
- (12) the location of electrical equipment, wiring, and static grounding wires;
- (13) the location and size of dry pesticide storage; and
- (14) any other information required by the secretary.

(c) Whenever an existing storage facility is remodeled significantly or an existing structure is converted to use as a bulk pesticide storage facility, the diagrams, plans, and specifications for the remodeling or conversion of a building to a facility shall be submitted by the owner or operator of the facility to the secretary for review before the remodeling or conversion begins. The diagrams, plans, and specifications shall contain all the information required in subsection (b) of this regulation.

(d) In no event shall construction, remodeling, or conversion of an existing or proposed facility commence unless the applicant receives notice that the secretary requires no additional information.

(e) The construction, remodeling, conversion, and maintenance of a facility shall conform with the plans identified in the notice and required by K.A.R. 4-13-25a through K.A.R. 4-13-25l. (Authorized by and implementing K.S.A. 2-2467a and 2-2471; effective Dec. 27, 2002.)

4-13-25i. Compliance dates. (a) Each owner or operator of a facility shall comply with the following:

(1) Within nine months after the effective date of this regulation, the owner or operator of a facility in existence or under construction on the effective date of this regulation who contends that the facility is in compliance with K.A.R. 4-13-25 through K.A.R. 4-13-25l shall certify on a form prescribed by the secretary that the facility meets or exceeds all the requirements of these regulations and is or will be constructed in accordance with the diagrams, plans, and specifications for the facility. A true and correct copy of the diagrams, plans, and specifications for the facility shall be attached to the certification. Owners or operators of facilities covered by this paragraph shall include owners or operators of a facility that meet either of the following conditions:

(A) Do not possess written notice from the secretary that no further information is required regarding the facility information submitted to the secretary, including diagrams, plans, and specifications; or

(B) have received written notice from the secretary that no further information is required, but the information submitted to the secretary does not accurately reflect the facility.

(2) The owner or operator of a facility in existence or under construction on the effective date of this regulation who has received written notice from the secretary that no further information is required and whose diagrams, plans, and specifications submitted to the secretary accurately reflect the physical condition of the facility shall submit to the secretary only the form prescribed by the secretary certifying that the facility meets or exceeds all the requirements of these regulations.

(3) Each owner or operator of a facility that is in existence or under construction on the effective date of this regulation who is required to alter the facility to comply with K.A.R. 4-13-25 through K.A.R. 4-13-25l shall submit the diagrams, plans, and specifications for the facility within 12 months after the effective date of this regulation. Construction shall not commence until the owner or operator receives written notice from the secretary that no additional information is required. Within two years after the plan is approved by the secretary, the owner or operator of a facility that is in existence or under construction on the effective date of this regulation but is required to be altered to comply with K.A.R. 4-13-25 through K.A.R. 4-13-25l shall certify on a form prescribed by the secretary that the owner or operator has completed the required alterations in accordance with the diagrams, plans, and specifications that were submitted to the secretary.

(4) Each owner or operator of a facility in existence or under construction on the effective date of this regulation who chooses to alter its facility after meeting the certification requirements specified in subsections (a) and (b) of this regulation shall submit the diagrams, plans, and

specifications to the secretary before beginning construction of the alterations. Construction shall not commence until the owner or operator receives written notice from the secretary that no additional information is required. Within two years after the date of the secretary's written notice, the owner or operator of a facility who alters the facility under this paragraph shall certify on a form required by the secretary that the facility meets or exceeds all the requirements of K.A.R. 4-13-25 through K.A.R. 4-13-25l and is constructed in accordance with the diagrams, plans, and specifications submitted to the secretary.

(5) Each owner or operator of a facility not in existence or under construction on the effective date of this regulation shall submit the diagrams, plans, and specifications to the secretary before commencement of construction. Construction shall not commence until the owner or operator receives written notice from the secretary that no further information is required. The owner or operator of a facility under this paragraph shall complete construction within two years after the secretary's written notice that no additional information is required. Upon completion of construction, the owner or operator of a facility under this paragraph shall certify on a form prescribed by the secretary that the facility meets or exceeds all the requirements of K.A.R. 4-13-25 through K.A.R. 4-13-25l and is constructed in accordance with the diagrams, plans, and specifications submitted to the secretary. Construction under this paragraph shall include conversion of any operation to a pesticide storage facility.

(b) Each owner or operator of a facility shall submit the diagrams, plans, and specifications required by paragraphs (a)(3) through (a)(5) in this regulation at least 30 days before the date the owner or operator proposes that the construction will commence. The owner or operator shall identify clearly on the diagrams, plans, and specifications the date on which construction is proposed to commence.

(c) Additional time to comply with any deadline in this regulation may be granted by the secretary upon receipt of a written request and upon a showing of good cause for the additional time requested. This request shall state the reason for the additional time requested and the amount of additional time needed. (Authorized by and implementing K.S.A. 2-2467a and 2-2471; effective Dec. 27, 2002.)

4-13-25j. Bulk pesticide storage facility inspection and maintenance requirements. (a) Each owner or operator shall inspect the facility at least once in every six-month period following the effective date of this regulation. The inspection shall include detection of the following defects:

- (1) Corrosion;
- (2) leaks;
- (3) cracks;
- (4) spills;
- (5) gaps;
- (6) tears;
- (7) unsealed joints;
- (8) cross-contamination of pesticides;
- (9) structural defects;

- (10) equipment defects; and
- (11) any other defect in the facility or potential violation of K.A.R. 4-13-25 through K.A.R. 4-13-25l.

The owner or operator shall promptly correct any defect.

(b) On the day any defect is first discovered, the owner or operator shall record the following:

- (1) Any inspection or repair of the discovered defect at the facility;
- (2) any release of a pesticide within the facility in excess of 55 gallons or a combination of releases in a 24-hour period totaling or exceeding 55 gallons;
- (3) any reportable event; and
- (4) the name of the person making the record and the date the record was made.

(c) Each owner or operator shall retain all inspection and maintenance records at the facility and shall make the records available to the secretary on request. The owner or operator shall record each inspection according to subsection (a) above on a form prescribed by the secretary. (Authorized by and implementing K.S.A. 2-2467a and 2-2471; effective Dec. 27, 2002.)

4-13-25k. Site closure and discontinuation of operation. (a) The owner or operator shall notify the Kansas department of agriculture within 30 calendar days following the permanent cessation of operations of a bulk pesticide storage facility.

(b) Whenever a bulk pesticide storage facility permanently ceases operations, the owner or operator shall provide the secretary with written verification of both of the following, on a form prescribed by the secretary:

(1) All pesticides, solutions containing a pesticide, wash waters, and other materials that may contain pesticides have been removed from the facility and have been used or disposed of according to the pesticide's label or labeling, and according to all federal, state, and local requirements.

(2) All bulk pesticide containers, appurtenances, mixing and loading pads, and sumps have been thoroughly cleaned according to each pesticide manufacturer's requirements, instructions, directions, or recommendations or, if none exist, according to standard industry practice. (Authorized by and implementing K.S.A. 2-2467a and 2-2471; effective Dec. 27, 2002.)

4-13-25l. Penalty for noncompliance with pesticide containment. The license, certification, or registration of any pesticide business licensee, governmental agency registrant, pesticide dealer, or certified private applicator who is found to have violated a pesticide containment requirement in K.A.R. 4-13-25a through 4-13-25k shall be subject to suspension, revocation, nonrenewal, or cancellation. The procedure required for enforcement of K.A.R. 4-13-25 through K.A.R. 4-13-25k shall comply with the requirements of the Kansas administrative procedures act, K.S.A. 77-501 et seq., and amendments thereto. (Authorized by and implementing K.S.A. 2-2449, 2-2467a, and 2-2471; effective Dec. 27, 2002.)

Jamie Clover Adams
Secretary of Agriculture

Doc. No. 028714

State of Kansas

Pooled Money Investment Board

Notice of Investment Rates

The following rates are published in accordance with K.S.A. 75-4210. These rates and their uses are defined in K.S.A. 12-1675(b)(c)(d), 75-4201(l) and 75-4209(a)(1)(B).

Effective 12-9-02 through 12-15-02

Term	Rate
1-89 days	1.23%
3 months	1.15%
6 months	1.24%
1 year	1.42%
18 months	1.68%
2 years	1.86%

Derl S. Treff
Director of Investments

Doc. No. 028710

State of Kansas

Department of Administration

Permanent Administrative
RegulationsArticle 9.—HOURS, LEAVES; EMPLOYEE-
MANAGEMENT RELATIONS

1-9-7b. Military leave; voluntary or involuntary service with reserve component of the Armed Forces. (a) Subject to the additional requirements and limitations of Title 38, U.S. Code, Chapter 43, each employee in a regular position, who is a member of a reserve component of the military service of the United States, shall be granted a maximum of 12 working days of military leave with pay for active duty within each 12-month period beginning October 1 and ending September 30 of the following year. The provisions of this subsection shall not apply to any hours of military leave with pay for active duty used before December 22, 2002.

(b) Active duty in excess of 12 working days within the 12-month period established in subsection (a) shall be charged to military leave without pay or, at the employee's request, to appropriate accrued leave.

(c) Each employee in a regular position who is a member of a reserve component of the military reserve of the United States shall be granted military leave without pay or, at the employee's request, appropriate accrued leave for the purpose of performing inactive duty.

(d) Requests for military leave shall be made to the appointing authority with as much notice as possible under the circumstances of the order. An appropriate military order or duty document shall be received by the appointing authority before military leave is authorized.

(e) Each employee in a regular position shall be granted military leave without pay or, at the employee's request, appropriate accrued leave for the purpose of induction, entrance, or examination for entrance into a reserve component. Notice to the appointing authority shall be provided as prescribed by the appointing authority. Upon completion of the induction, entrance, or exami-

nation, the employee shall return to state employment as prescribed in subsection (g).

(f) Upon release from a period of active or inactive duty or upon discharge from hospitalization for or convalescence from an illness or injury incurred in or aggravated during the duty, each employee shall be permitted to return to a position with status and pay similar to what the employee would have had if the employee had not been absent for those purposes. If the employee is not qualified to perform the duties of the position by reason of disability sustained during the duty but is qualified to perform the duties of any other position, the employee shall be offered employment in a position comparable to the former position, in status and pay.

(g)(1) Except as provided in paragraph (g)(2), when returning from periods of inactive or active duty, the employee shall report for work as follows:

Period of Duty (in consecutive days)	Return to Work Following Release from Duty
1-30	First full, regularly scheduled day after release
31-180	Within 14 days of release
181 +	Within 90 days of release

(2) These time periods may be extended to no more than two years from the date of release from duty to accommodate a period of hospitalization or convalescence resulting from a service-connected injury or illness. To the extent practicable, the employee shall inform the appointing authority of any change in the date on which the employee is anticipated to return to work. The appointing authority may request documentation from the employee's commanding officer or the employee's licensed health or mental health care provider of the date on which the employee is released from duty and of the reasons the employee will not be able to return to work following the employee's release from duty.

(h) Military leave shall be counted as part of the employee's length of service as prescribed in K.A.R. 1-2-46. Sick leave, vacation leave, and holiday credit shall not be earned or accrued during a period of active duty when military leave without pay has been granted.

(i) For purposes of this regulation, any reference to the military reserve of the United States shall be considered to include members of the national guard. This regulation shall be effective on and after December 22, 2002. (Authorized by K.S.A. 2001 Supp. 75-3747; implementing K.S.A. 75-3746; effective May 1, 1985; amended Dec. 17, 1995; amended, T-1-10-1-97, Oct. 1, 1997; amended, T-1-11-5-99, Nov. 5, 1999; amended Dec. 27, 2002.)

Joyce Glasscock
Secretary of Administration

Doc. No. 028732

State of Kansas

Social and Rehabilitation Services

Permanent Administrative
RegulationsArticle 5.—PROVIDER PARTICIPATION, SCOPE OF
SERVICES, AND REIMBURSEMENTS FOR THE
MEDICAID (MEDICAL ASSISTANCE) PROGRAM**30-5-94. Reimbursement for pharmacy services.**

(a) Each pharmacy provider shall be reimbursed for covered pharmacy services on the basis of product acquisition cost plus a dispensing fee. In no case shall reimbursement for a prescription exceed the lesser of the provider's usual and customary charge for that prescription or the state allowable for that prescription. The submitted charge and payment for covered over-the-counter pharmacy products shall not exceed the lesser of the product acquisition cost plus the dispensing fee or the usual and customary over-the-counter charge of the pharmacy provider.

(b) The acquisition cost shall include a maximum allowable cost for selected multiple-source drugs as determined by the secretary.

(c) The dispensing fee assigned to pharmacy providers shall be \$3.40 per prescription unless a different rate is established by the secretary.

(d) If an inactive pharmacy wishes to become an active provider, the pharmacy shall reapply according to K.A.R. 30-5-59.

(e) In areas in which pharmacy services are not available, each physician dispensing prescriptions to consumers shall be eligible to receive reimbursement for provision of those services after a pharmacy provider number has been issued by the department according to K.A.R. 30-5-59.

(1) Each physician assigned a pharmacy provider number shall be reimbursed on the basis of product acquisition cost plus a dispensing fee of \$.74 per prescription.

(2) The physician shall not be reimbursed a dispensing fee for injectable drugs administered in the office, except as included in the charge for the professional services of the physician.

(f) Each pharmacy provider shall be reimbursed only when the covered service has been prescribed by the consumer's attending practitioner.

(g) This regulation shall be effective on and after December 31, 2002. (Authorized by and implementing K.S.A. 39-708c; effective May 1, 1981; amended May 1, 1983; amended May 1, 1984; amended May 1, 1985; amended May 1, 1986; amended July 1, 1989; amended, T-30-12-28-89, Jan. 1, 1990; amended, T-30-2-28-90, Feb. 28, 1990; amended May 1, 1991; amended Dec. 29, 1995; amended Oct. 1, 1997; amended July 6, 2001; amended Dec. 31, 2002.)

30-5-101a. (Authorized by and implementing K.S.A. 1985 Supp. 39-708c; effective May 1, 1981; amended May 1, 1983; amended May 1, 1986; amended, T-87-5, May 1, 1986; amended May 1, 1987; revoked Dec. 27, 2002.)

30-5-108a. Reimbursement for durable medical equipment, medical supplies, orthotics, and prosthetics.

(a) Reimbursement for covered services shall be made on the basis of rates established by the secretary.

(b) Reimbursement for used equipment or repairs of equipment shall not exceed 75% of the reimbursement rate for new equipment.

(c) This regulation shall be effective on and after December 31, 2002. (Authorized by and implementing K.S.A. 39-708c; effective May 1, 1981; amended May 1, 1983; amended May 1, 1986; amended Dec. 31, 2002.)

30-5-308. Nonsupplementation of HCBS services.

(a) An organization, agency, family, consumer, or other individual shall not be allowed to pay for services that are on the plan of care.

(b) A consumer may accept the following:

(1) Any available service that is provided free and voluntarily by one or more organizations, agencies, families, or other individuals, at no cost to the medicaid program; and

(2) any available, desired services in addition to those services on the plan of care that are purchased by the consumer or one or more organizations, agencies, families, or other individuals, at no cost to the medicaid program.

(c) This regulation shall be effective on and after December 31, 2002. (Authorized by and implementing K.S.A. 39-708c; effective Jan. 1, 1997; amended Dec. 31, 2002.)

Article 6.—MEDICAL ASSISTANCE PROGRAM—
CLIENTS' ELIGIBILITY FOR PARTICIPATION

30-6-86. Poverty-level and low-income medicare beneficiaries; determined eligibles. Each applicant or recipient shall meet the general eligibility requirements of K.A.R. 30-6-50 and the specific eligibility requirements set forth in this regulation. (a) Age, blindness, or disability. Each individual shall meet the age, blindness, or disability requirements of K.A.R. 30-6-85.

(b) Medicare part A beneficiary. Each individual shall be entitled to medicare part A benefits.

(c) Other coverage. An individual who meets the poverty income guidelines of K.A.R. 30-6-103 (a)(10) shall not be seeking coverage under any other type of medical assistance.

(d) Financial eligibility. A percentage of the official federal poverty income guidelines as established in K.A.R. 30-6-103 shall be used as the protected income level for the number of persons in the plan and any other persons whose income is considered. The total applicable income to be considered in the eligibility base period shall be compared against the poverty level for the base period. However, the amount of an annual social security cost-of-living adjustment shall be disregarded in determining eligibility during the first quarter of the year for which the adjustment is provided. To be eligible, the total applicable income shall not exceed the poverty level established for the base period. The individual also shall not own nonexempt real or personal property with a resource value in excess of two times the allowable amount spec-

(continued)

ified in K.A.R. 30-6-107 for the number of persons whose nonexempt resources are considered available to the individual.

(e) Assistance provided. Assistance under this regulation for individuals meeting the poverty income guidelines of K.A.R. 30-6-103(a)(7) shall be limited to the payment of allowable medicare premiums, deductibles, and coinsurance. Assistance for individuals meeting the poverty income guidelines of K.A.R. 30-6-103(a)(9) or (10) shall be limited to the payment of medicare part B premiums only.

(f) This regulation shall be effective on and after December 31, 2002. (Authorized by K.S.A. 39-708c and 38-2002; implementing K.S.A. 39-708c, 39-709, and 38-2002; effective Jan. 2, 1989; amended July 1, 1989; amended, T-30-12-28-90, Jan. 2, 1991; amended May 1, 1991; amended Jan. 4, 1993; amended July 2, 1999; amended Dec. 31, 2002.)

30-6-103. Determined eligibles; protected income levels. (a) Independent living and home- and community-based services arrangements.

(1) The protected income level for any person in an independent living arrangement or in the home- and community-based services program shall be based on the total number of persons in the assistance plan and any other persons in the family group whose income is being considered.

(2) The protected income levels for independent living may also be used when an applicant or recipient meets either of these conditions:

(A) Enters a medicaid-approved facility, except that this provision shall not apply in situations in which only one spouse of a married couple enters an institutional living arrangement; or

(B) is absent from the home for medical care for a period not to exceed two months to allow for maintaining the applicant's or recipient's independent living arrangements.

(3) Except as specified in paragraphs (4), (5), (6), (7), and (8) below, the following table shall be used to determine the protected income level for persons in independent living.

PERSONS IN INDEPENDENT LIVING (Per Month)		
1	2	3
\$475.00	\$475.00	\$480.00

The protected income level for additional persons shall be the sum of the basic standard for a like public assistance family plus the maximum state shelter standard.

(4) In determining eligibility for pregnant women and for infants under the provisions of K.A.R. 30-6-77(a) and (b), 150 percent of the official federal poverty income guidelines shall serve as the protected income level.

(5) In determining eligibility for other young children under the provisions of K.A.R. 30-6-77(c), 133 percent of the official federal poverty income guidelines shall serve as the protected income level.

(6) In determining eligibility for older children under the provisions of K.A.R. 30-6-77(d), 100 percent of the official federal poverty income guidelines shall serve as the protected income level.

(7) In determining eligibility for poverty-level medicare beneficiaries under the provisions of K.A.R. 30-6-86, 100 percent of the official federal poverty income guidelines shall serve as the protected income level.

(8) In determining eligibility for working disabled individuals under the provisions of K.A.R. 30-6-87, 200 percent of the official federal poverty income guidelines shall serve as the protected income level.

(9) In determining eligibility for low-income medicare beneficiaries under the provisions of K.A.R. 30-6-86, 120 percent of the official federal poverty income guidelines shall serve as the protected income level.

(10) In determining eligibility for low-income medicare beneficiaries under the provisions of K.A.R. 30-6-86, 120 to 135 percent of the official federal poverty income guidelines shall serve as the protected income level subject to available federal funding.

(11) In determining eligibility for disabled individuals with earned income under the provisions of K.A.R. 30-6-88, 300 percent of the official federal poverty income guidelines shall serve as the protected income level.

(b) Institutional living arrangements. For persons residing in institutional settings, the protected income level shall be \$30.00, except as specified in paragraph (a)(2).

(c) Home- and community-based services arrangements. For persons in the home- and community-based services program, the monthly protected income level shall be \$716.00.

(d) This regulation shall be effective on and after December 31, 2002. (Authorized by and implementing K.S.A. 39-708c and 38-2002; effective May 1, 1981; amended, E-82-11, June 17, 1981; amended, E-82-19, Oct. 21, 1981; amended May 1, 1982; amended, T-83-17, July 1, 1982; amended May 1, 1983; amended, T-84-11, July 1, 1983; amended, T-84-36, Dec. 21, 1983; amended May 1, 1984; amended, T-85-34, Dec. 19, 1984; amended May 1, 1985; amended, T-86-19, July 1, 1985; amended, T-86-42, Jan. 1, 1986; amended May 1, 1986; amended, T-87-15, July 1, 1986; amended, T-88-2, Feb. 1, 1987; amended May 1, 1987; amended, T-88-10, May 1, 1987; amended, T-88-14, July 1, 1987; amended, T-88-59, Dec. 16, 1987; amended May 1, 1988; amended, T-30-7-1-88, July 1, 1988; amended Sept. 26, 1988; amended Jan. 2, 1989; amended July 1, 1989; amended Oct. 1, 1989; amended Jan. 2, 1990; amended, T-30-12-28-89, Jan. 1, 1990; amended, T-30-3-29-90, April 1, 1990; revoked, T-30-7-2-90, July 2, 1990; amended, T-30-7-2-90, July 2, 1990; revoked, T-30-8-14-90, Oct. 1, 1990; amended Oct. 1, 1990; amended Jan. 7, 1991; amended, T-30-12-28-90, Jan. 2, 1991; amended May 1, 1991; amended July 1, 1991; amended Jan. 2, 1992; amended, T-30-6-10-92, July 1, 1992; amended Oct. 1, 1992; amended Jan. 4, 1993; amended Jan. 3, 1994; amended Dec. 30, 1994; amended Dec. 29, 1995; amended Jan. 1, 1997; amended July 1, 1998; amended July 2, 1999; amended July 1, 2002; amended Dec. 31, 2002.)

Article 10.—ADULT CARE HOME PROGRAM

30-10-17. Cost reports. (a) Historical cost data.

(1) For cost reporting purposes, each provider shall submit the "nursing facility financial and statistical report," form MS-2004, revised August 2002 and hereby

adopted by reference, completed in accordance with the accompanying instructions. The MS-2004 cost report shall be submitted on diskette, using software designated by the agency for cost report periods ending on or after December 31, 1999.

(2) Each provider who has operated a facility for 12 or more months on December 31 shall file the nursing facility financial and statistical report on a calendar year basis.

(3) Each provider who has operated a facility on cost data from the previous provider or a projected cost report shall file an historical cost report.

(A) The historical cost report period shall begin according to either of the following schedules:

(i) On the first day of the month in which the nursing facility was certified if that date is on or before the 15th of the month; or

(ii) on the first day of the month following the date the nursing facility was certified if that date is on or after the 16th of the month.

(B) The historical cost report shall end on the last day of the 12-month period following the date specified in paragraph (a)(3)(A) above, except under any of the following:

(i) The cost report shall end on December 31 when that date is not more than one month before or after the end of the 12-month period.

(ii) The cost report shall end on the provider's normal fiscal year-end used for the internal revenue service when that date is not more than one month before or after the end of the 12-month period and the criteria in K.A.R. 30-10-18 for filing the cost report ending on December 31 do not apply.

(iii) The cost report shall end on the last date of service if a provider change occurs before 11 months of operation and the interim rate was based on a projected cost report.

(C) The historical cost report period shall cover a consecutive period of time not less than 11 months and not more than 13 months.

(D) The provider shall file a subsequent overlapping 12-month historical cost report for the calendar year ending December 31, if the first cost report does not end on that date.

(b) Projected cost data.

(1) Projected cost reports for providers.

(A) If a provider is required to submit a projected cost report under K.A.R. 30-10-18 (c) or (g), the provider's rate shall be based on a proposed budget with costs projected on a line item basis.

(B) The projected cost report for each provider who is required to file a projected cost report shall begin according to either of the following schedules:

(i) On the first day of the month in which the nursing facility was certified by the department of health and environment if that date is on or before the 15th of the month; or

(ii) on the first day of the following month if the facility is certified by the department of health and environment between the 16th and 31st of the month.

(C) The projected cost report shall end on the last day of the 12-month period following the date specified in paragraph (b)(1)(B) above, except under either of the following:

(i) The projected cost report shall end on December 31 when that date is not more than one month before or after the end of the 12-month period.

(ii) The projected cost report shall end on the provider's normal fiscal year-end used for the internal revenue service when that date is not more than one month before or after the end of the 12-month period and the criteria in K.A.R. 30-10-18 for filing the projected cost report ending on December 31 do not apply.

(D) The projected cost report period shall cover a consecutive period of time not less than 11 months and not more than 13 months.

(E) The projected cost report shall be reviewed for reasonableness and appropriateness by the agency. The projected cost report items that are determined to be unreasonable shall be disallowed before the projected rate is established.

(2) Projected cost reports for each provider with more than one facility.

(A) Each provider who is required to file a projected cost report in accordance with this subsection and who operates more than one facility, either in state or out of state, shall allocate central office costs to each facility that is paid rates from the projected cost data. The provider shall allocate the central office cost at the end of the provider's fiscal year or the calendar year that ends during the projection period.

(B) The method of allocating central office costs to those facilities filing projected cost reports shall be consistent with the method used to allocate the costs to those facilities in the chain that are filing historical cost reports.

(c) Amended cost reports.

(1) Each provider shall submit an amended cost report revising cost report information previously submitted if an error or omission is identified that is material in amount and results in a change in the provider's rate of \$.10 or more per resident day.

(2) An amended cost report shall not be allowed after 13 months have passed since the last day of the year covered by the report.

(d) Due dates of cost reports.

(1) Each calendar year cost report shall be received not later than the close of business on the last working day of February following the year covered by the report.

(2) Each historical cost report covering the first year of operation shall be received by the agency not later than the close of business on the last working day of the second month following the close of the period covered by the report.

(3) Each cost report approved for a filing extension in accordance with subsection (e) shall be received not later than the close of business on the last working day of the month approved for the extension request.

(e) Extension of time for submitting a cost report.

(1) A one-month extension of the due date for the filing of a cost report may be granted by the agency when the cause for delay is beyond the control of the provider. Delays beyond the control of the provider that may be considered by the agency in granting an extension shall include the following:

(continued)

(A) Disasters that significantly impair the routine operations of the facility or business;

(B) destruction of records as a result of a fire, flood, tornado, or another accident that is not reasonably foreseeable; and

(C) computer viruses that impair the accurate completion of cost report information.

(2) The provider shall make the request in writing. The request shall be received by the agency on or before the due date of the cost report. Requests received after the due date shall not be accepted.

(3) A written request for a second one-month extension may be granted by the Kansas medical assistance program director if the cause for further delay is beyond the control of the provider. The request shall be received by the agency on or before the due date of the cost report, or the request shall not be approved.

(f) Penalty for late filing. Each provider filing a cost report after the due date shall be subject to the following penalties:

(1) If the complete cost report has not been received by the agency by the close of business on the due date, all further payments to the provider shall be suspended until the complete cost report has been received. A complete cost report shall include all the required documents listed in the cost report.

(2) Failure to submit the cost report within one year after the end of the cost report period shall be cause for termination from the Kansas medical assistance program.

(g) Balance sheet requirement. Each provider shall file a balance sheet prepared in accordance with cost report instructions as part of the cost report forms for each provider.

(h) Working trial balance requirement. Each provider shall submit a working trial balance with the cost report. The working trial balance shall contain account numbers, descriptions of the accounts, the amount of each account, and the cost report expense line on which the account was reported. Revenues and expenses shall be grouped separately and totaled on the working trial balance and shall reconcile to the applicable cost report schedules. A schedule that lists all general ledger accounts grouped by cost report line number shall be attached.

(i) An allocation of expenditures between the hospital and the long-term care unit facility shall be submitted through a step-down process prescribed in the cost report instructions.

(j) This regulation shall be effective on and after December 31, 2002. (Authorized by and implementing K.S.A. 39-708c; effective May 1, 1985; amended May 1, 1986; amended May 1, 1987; amended May 1, 1988; amended Jan. 2, 1989; amended Jan. 2, 1990; amended, T-30-10-1-90, Oct. 1, 1990; amended Jan. 30, 1991; amended Oct. 28, 1991; amended Nov. 2, 1992; amended Jan. 3, 1994; amended Dec. 29, 1995; amended Jan. 1, 1997; amended Jan. 1, 1999; amended July 1, 2002; amended Dec. 31, 2002.)

30-10-18. Rates of reimbursement. (a) Rates for existing nursing facilities.

(1) The determination of per diem rates shall be made, at least annually, on the basis of the cost information submitted by the provider and retained for cost auditing.

(A) The cost information for each provider shall be compared with the cost information for other providers that are similar in size, scope of service, and other relevant factors to determine the allowable per diem cost.

(B) Rates effective with service dates beginning July 1, 2002 shall be in effect at least six months, but no longer than 12 months in state fiscal year 2003 and shall be determined as follows:

(i) A factor for inflation shall be applied to the allowable per diem cost in effect on June 30, 2002.

(ii) A factor for inflation shall be applied to the upper payment limits in effect on June 30, 2002. The rates effective on or after July 1, 2002 shall be subject to the inflated upper payment limits.

(iii) The case mix quarterly adjustments to the health care cost center shall be based on the new inflated upper payment limit for the cost center.

(iv) A factor for inflation shall be applied to the real and personal property fee in effect on June 30, 2002.

(v) These rates shall be used to phase in the rates and upper payment limits determined in accordance with paragraphs (a)(2) through (a)(7) and subsections (b) through (i) of this regulation and with K.A.R. 30-10-19(d) and K.A.R. 30-10-25(b).

(2) Per diem rates shall be limited by cost centers, except where there are special level-of-care facilities approved by the United States department of health and human services. The upper payment limits shall be determined by the median in each cost center plus a percentage of the median, using either current cost data or cost data from a prior year adjusted for inflation. The percentage factor applied to the median and any inflation factor used shall be determined by the secretary.

(A) The cost centers shall be as follows:

(i) Operating;

(ii) indirect health care; and

(iii) direct health care.

(B) The property component shall consist of the real and personal property as specified in K.A.R. 30-10-25.

(C) The upper payment limit for the direct health care cost center shall be a statewide base limit calculated on each facility's case mix adjusted costs.

(i) The direct health care cost center upper payment limit for each facility shall be calculated quarterly by adjusting the statewide base limit by that facility's medicaid average case mix index.

(ii) Resident assessments that cannot be classified shall be assigned to the lowest case mix index.

(3) Each provider shall receive an adjusted rate for each quarter if there is a change in the facility's average medicaid case mix index from the previous quarter.

(4) To establish a per diem rate for each provider, factors for incentive and inflation shall be added to the allowable per diem cost.

(5) Resident days in the rate computation.

(A) Total resident days shall be used to calculate the per diem costs used to determine the upper payment limit and rates in the direct health care cost center. Total resident days shall be used to calculate the per diem costs used to determine the upper payment limit and rates for food and utilities in the indirect health care cost center.

(B) Resident days used to calculate the upper payment limits and rates in the operating cost center and indirect health care cost center, less food and utilities, shall be subject to an 85 percent minimum occupancy requirement based on the following:

(i) Each provider that has been in operation for 12 months or longer and has an occupancy rate of less than 85 percent for the cost report period shall have the resident days calculated at the minimum occupancy of 85 percent.

(ii) The 85 percent minimum occupancy requirement shall be applied to the resident days and costs reported for the 13th month of operation and after. The 85 percent minimum occupancy requirement shall be applied to the interim rate of a new provider, unless the provider is allowed to file a projected cost report.

(iii) The minimum occupancy rate shall be determined by multiplying the total number of licensed beds by 85 percent. In order to participate in the Kansas medical assistance program, each nursing facility provider shall obtain proper certification for all licensed beds.

(iv) Each provider with an occupancy rate of 85 percent or greater shall have actual resident days for the cost report period used in the rate computation.

(6) Each provider shall be given a detailed listing of the computation of the rate determined for the provider's facility.

(7) The effective date of the rate for existing providers shall be in accordance with K.A.R. 30-10-19.

(b) Comparable service rate limitations.

(1) For each nursing facility and nursing facility for mental health, the per diem rate for care shall not exceed the rate charged for the same type of service to residents not under the Kansas medical assistance program. Private pay rates reported to the agency on other than a per diem basis shall be converted to a per diem equivalent.

(2) The agency shall maintain a registry of private pay per diem rates submitted by providers.

(A) Providers shall notify the agency of changes in the private pay rate and the effective date of that change so that the registry can be updated.

(i) Private pay rate information submitted with the cost reports shall not constitute notification and shall not be acceptable.

(ii) Providers may send private pay rate notices by certified mail so that there is documentation of receipt by the agency.

(B) The private pay rate registry shall be updated based on the notification from the providers.

(C) The effective date of the private pay rate in the registry shall be the later of the effective date of the private pay rate or the first day of the following month in which complete documentation of the private pay rate is received by the agency.

(i) If the private pay rate effective date is other than the first day of the month, the effective date in the registry shall be the first day of the closest month. If the effective date is after the 15th, the effective date in the register shall be the first day of the following month.

(ii) For new facilities or new providers coming into the medicaid program, the private pay rate effective date shall be the issued certification date.

(3) The average private pay rate for comparable services shall be included in the registry. The average private pay rate may consist of the following variables:

(A) Room rate differentials. The weighted average private pay rate for room differentials shall be determined as follows:

(i) Multiply the number of private pay residents in private rooms, semiprivate rooms, wards, and all other room types by the rate charged for each type of room. Sum the resulting products of each type of room. Divide the sum of the products by the total number of private pay residents in all rooms. The result, or quotient, is the weighted average private pay rate for room differentials.

(ii) Each provider shall submit documentation to show the calculation of the weighted average private pay rate when there are room rate differentials.

(iii) Failure to submit the documentation shall limit the private pay rate in the registry to the semiprivate room rate.

(B) Level-of-care rate differentials. The weighted average private pay rate for level-of-care differentials shall be determined as follows:

(i) Multiply the number of private pay residents in each level of care by the rate they are charged to determine the product for each level of care. Sum the products for all of the levels of care. Divide the sum of the products by the total number of private pay residents in all levels of care. The result, or quotient, is the weighted average private pay rate for the level-of-care differentials.

(ii) Each provider shall submit documentation to show the calculation of the weighted average rate when there are level-of-care rate differentials.

(iii) Failure to submit the documentation may delay the effective date of the average private pay rate in the registry until the complete documentation is received.

(C) Extra charges to private pay residents for items and services specified in K.A.R. 30-10-15a may be included in the weighted average private pay rate if the same items and services are allowable in the Kansas medical assistance program rate.

(i) Each provider shall submit documentation to show the calculation of the weighted average extra charges.

(ii) Failure to submit the documentation may delay the effective date of the weighted average private pay rate in the registry until the complete documentation is received.

(4) The weighted average private pay rate shall be based on what the provider receives from the resident. If the private pay charges are consistently higher than what the provider receives from the residents for services, then the average private pay rate for comparable services shall be based on what is actually received from the residents. The weighted average private pay rate shall be reduced by the amount of any discount received by the residents.

(5) The private pay rate for medicare skilled beds shall not be included in the computation of the average private pay rate for nursing facility services.

(6) When providers are notified of the effective date of the Kansas medical assistance program rate, the following procedures shall be followed:

(A) If the private pay rate indicated on the agency register is lower, then the Kansas medical assistance pro-

(continued)

gram rate, beginning with its effective date, shall be calculated as follows:

(i) If the average medicaid case mix index is greater than the facility average case mix index, the Kansas medical assistance program rate shall be the lower of the private pay rate adjusted to reflect the medicaid case mix or the calculated Kansas medical assistance rate.

(ii) If the average medicaid case mix index is less than or equal to the facility average case mix index, the Kansas medical assistance program rate shall be the average private pay rate.

(B) Providers who are held to a lower private pay rate and subsequently notify the agency in writing of a different private pay rate shall have the Kansas medical assistance program rate adjusted on the later of the first day of the month following the date upon which complete private pay rate documentation is received or the effective date of a new private pay rate.

(c) Rate for new construction or a new facility to the program.

(1) The per diem rate for newly constructed nursing facilities or a new facility to the Kansas medical assistance program shall be based on a projected cost report submitted in accordance with K.A.R. 30-10-17.

(2) No rate shall be paid until a nursing facility financial and statistical report is received and processed to determine a rate.

(d) Change of provider. The payment rate for the first 12 months of operation shall be based on the rate established from the historical cost data of the previous owner or provider. If the 85 percent minimum occupancy requirement was applied to the previous provider's rate, the 85 percent minimum occupancy requirement shall also be applied to the new provider's rate.

(e) Per diem rate errors.

(1) If the per diem rate, whether based upon projected or historical cost data, is audited by the agency and found to contain an error, a direct cash settlement shall be required between the agency and the provider for the amount of money overpaid or underpaid. If a provider with an identified overpayment is no longer enrolled in the medicaid program, the settlement shall be recouped from a facility owned or operated by the same provider or provider corporation, unless other arrangements have been made to reimburse the agency. A net settlement may occur if a provider has more than one facility involved in settlements.

(2) The per diem rate for a provider may be increased or decreased as a result of a desk review or audit of the provider's cost reports. Written notice of this per diem rate change and of the audit findings shall be sent to the provider. Retroactive adjustment of the rate paid from a projected cost report shall apply to the same period of time covered by the projected rate.

(3) Each provider shall have 30 days from the date of the audit report cover letter to request an administrative review of an audit adjustment that results in an overpayment or underpayment. The request shall specify the finding or findings that the provider wishes to have reviewed.

(4) An interim settlement, based on a desk review of the historical cost report covering the projected cost re-

port period, may be determined after the provider is notified of the new rate determined from the cost report. The final settlement shall be based on the rate after an audit of the historical cost report.

(5) A new provider that is not allowed to submit a projected cost report for an interim rate shall not be entitled to a retroactive settlement for the first year of operation.

(f) Out-of-state providers. The rate for out-of-state providers certified to participate in the Kansas medical assistance program shall be the rate approved by the agency. Out-of-state providers shall obtain prior authorization by the agency.

(g) Determination of the rate for nursing facility providers reentering the medicaid program.

(1) The per diem rate for each provider reentering the medicaid program shall be determined from either of the following:

(A) A projected cost report if the provider has not actively participated in the program by the submission of any current resident service billings to the program for 24 months or more; or

(B) the last historic cost report filed with the agency, if the provider has actively participated in the program during the most recent 24 months. The appropriate historic and estimated inflation factors shall be applied to the per diem rate determined in accordance with this paragraph.

(2) When the per diem rate for a provider reentering the program is determined in accordance with paragraph (g)(1)(A), a settlement shall be made in accordance with K.A.R. 30-10-18(e).

(3) When the per diem rate for a provider reentering the program is determined in accordance with paragraph (g)(1)(B), a settlement shall be made only on those historic cost reports with fiscal years beginning after the date on which the provider reentered the program.

(h) Reserve days as specified in K.A.R. 30-10-21 shall be paid at 67 percent of the Kansas medical assistance program per diem rate.

(i) Determination of rate for ventilator-dependent resident.

(1) The request for additional reimbursement for a ventilator-dependent resident shall be submitted to the agency in writing for prior approval. Each request shall include a current care plan for the resident, the most current resident assessment, and an itemized expense list for implementing that care plan. The additional reimbursement shall not include the cost of durable medical equipment.

(2) All of the following conditions shall be met in order for a resident to be considered ventilator-dependent.

(A) The resident is not able to breathe without mechanical ventilation.

(B) The resident uses a ventilator for life support 24 hours a day, seven days a week.

(C) The resident has a tracheostomy or endotracheal tube.

(3) The provider shall be reimbursed at the Kansas medical assistance program daily rate determined for the nursing facility plus an additional amount approved by the agency for the ventilator-dependent resident. The provider shall submit a budget with the detail of the ex-

penditures requested to care for the ventilator-dependent resident. The additional reimbursement shall be negotiated based on the prevailing cost of the individual care plan and subject to an upper payment limit that is based on the comparable rate from the medicare prospective payment system.

(4) No additional amount above that figured at the Kansas medical assistance program daily rate shall be allowed until the service has been authorized by the agency.

(5) The criteria shall be reviewed quarterly to determine if the resident is ventilator-dependent. If a resident is no longer ventilator-dependent, the provider shall not receive additional reimbursement beyond the Kansas medical assistance program daily rate determined for the facility.

(6) The additional reimbursement for the ventilator-dependent resident shall be offset to the cost center of benefit on the nursing facility financial and statistical report.

(j) This regulation shall be effective on and after December 31, 2002. (Authorized by and implementing K.S.A. 39-708c; effective May 1, 1985; amended May 1, 1986; amended, T-87-29, Nov. 1, 1986; amended May 1, 1987; amended, T-89-5, Jan. 21, 1988; amended Sept. 26, 1988; amended Jan. 2, 1989; amended Jan. 2, 1990; amended, T-30-10-1-90, Oct. 1, 1990; amended Jan. 30, 1991; amended Oct. 28, 1991; amended May 1, 1992; amended Nov. 2, 1992; amended Jan. 3, 1994; amended July 1, 1994; amended Sept. 30, 1994; amended Dec. 29, 1995; amended Jan. 1, 1999; amended June 28, 2002; amended Dec. 31, 2002.)

30-10-23a. Non-reimbursable costs. (a) Costs not related to resident care, as set forth in K.A.R. 30-10-1a, shall not be considered in computing reimbursable costs. In addition, the following expenses or costs shall not be allowed:

(1) Fees paid to non-working directors and the salaries of non-working officers;

(2) bad debts;

(3) donations and contributions;

(4) fund-raising expenses;

(5) taxes, as follows:

(A) Federal income and excess profit taxes, including any interest or penalties paid on them;

(B) state or local income and excess profits taxes;

(C) taxes from which exemptions are available to the provider;

(D) taxes on property that is not used in providing covered services;

(E) taxes levied against any patient or resident and collected and remitted by the provider;

(F) self-employment taxes applicable to individual proprietors, partners, or members of a joint venture; and

(G) interest or penalties paid on federal and state payroll taxes;

(6) insurance premiums on lives of owners and related parties;

(7) the imputed value of services rendered by non-paid workers and volunteers;

(8) utilization review;

(9) costs of social, fraternal, civic, and other organizations that concern themselves with activities unrelated to their members' professional or business activities;

(10) oxygen, and oxygen concentrators, tanks, and cylinders;

(11) vending machines and related supplies;

(12) board of director costs;

(13) resident personal purchases;

(14) advertising for patient utilization;

(15) public relations expenses;

(16) penalties, fines, and late charges;

(17) prescription drugs as defined in K.A.R. 30-10-1a;

(18) dental services;

(19) radiology;

(20) lab work;

(21) items or services provided only to non-medicaid/medicaid residents and reimbursed from third party payors;

(22) automobiles and related accessories in excess of \$25,000.00 each. Buses and vans for resident transportation shall be reviewed for reasonableness and may exceed \$25,000.00 in costs;

(23) provider-owned or related-party-owned, -leased, or -chartered airplanes and related expenses;

(24) therapeutic beds or mattresses;

(25) bank overdraft charges or other penalties;

(26) personal expenses not directly related to the provision of long-term resident care in a nursing facility;

(27) management fees paid to a related organization that are not clearly derived from the actual cost of materials, supplies, or services provided directly to an individual nursing facility;

(28) business expenses not directly related to the care of residents in a long-term care facility. These expenses shall include business investment activities, stockholder and public relations activities, and farm and ranch operations; and

(29) legal and other costs associated with litigation between a provider and a resident or between a provider and state or federal agencies, unless the litigation is decided in the provider's favor.

(b) Purchase discounts, allowances, and refunds shall be deducted from the cost of the items purchased. Refunds of prior years' expenses shall be deducted from the related expenses.

(c) This regulation shall be effective on and after December 31, 2002. (Authorized by and implementing K.S.A. 39-708c; effective May 1, 1985; amended May 1, 1988; amended, T-30-10-1-90, Oct. 1, 1990; amended Jan 30, 1991; amended July 1, 1991; amended Oct. 28, 1991; amended May 1, 1992; amended Nov. 2, 1992; amended Jan. 3, 1994; amended Dec. 29, 1995; amended July 1, 2002; amended Dec. 31, 2002.)

Janet Schalansky
Secretary of Social and
Rehabilitation Services

Doc. No. 028712

State of Kansas

Secretary of State

Executive Appointments

Executive appointments made by the Governor, and in some cases by other state officials, are filed with the Secretary of State's office. A complete listing of Kansas state agencies, boards and commissions, and county officials are included in the Kansas Directory, published by the Secretary of State. The directory also is available on the Secretary of State's Web site at www.kssos.org. The following appointments were recently filed with the Secretary of State:

State Senate, District 20

William W. Bunten, 1701 S.W. 30th, Topeka, 66611. Effective January 12, 2003. Term expires when a successor is elected and qualifies according to law. Succeeds Lynn Jenkins.

Historic Sites Board of Review

Donald J. Blakeslee, 1638 Park Place, Wichita, 67203. Term Expires June 30, 2005. Reappointed.

Paula Davis, 203 N. Bay, Greensburg, 67054. Term expires June 30, 2005. Reappointed.

Billie Porter, 703 Osage, Neodesha, 66757. Term expires June 30, 2005. Reappointed.

Advisory Council on Intergovernmental Relations

(Established pursuant to 2002 Session Laws of Kansas, Chapter 189)

Michael Boehm, 12944 W. 99th St., Overland Park, 66215. Term expires June 30, 2006.

Col. Donald W. Brownlee, Superintendent, Kansas Highway Patrol, 122 S.W. 7th, Topeka, 66603. Term expires June 30, 2004.

Laverne Lee Courtney, 1516 Nelson, Liberal, 67901. Term expires June 30, 2006.

Wade M. Dixon, 804 Third, Tribune, 67879. Term expires June 30, 2006.

Warren C. Hixon, 665 W. 4th, Colby, 67701. Term expires June 30, 2004.

Jocelyn Johnston, 1119 W. 27th St., Lawrence, 66046. Term expires June 30, 2004.

Sandi Kinser, 1201 Spruce, Concordia, 66901. Term expires June 30, 2006.

Judy Lair, 1331 Xylan Road, Piqua, 66761. Term expires June 30, 2004.

Merlin K. Ney, 3696 184th St., Russell, 67665. Term expires June 30, 2004.

Tim R. Norton, 200 Timberlane Drive, Haysville, 67060. Term expires June 30, 2004.

Shirley K. Sicilian, 3301 Riverview Road Court, Lawrence, 66049. Term expires June 30, 2006.

Unmarked Burial Sites Preservation Board

Ginger A. Barr, 9421 S.W. Hoch Road, Auburn, 66402. Term expires July 15, 2005. Reappointed.

Ron Thornburgh
Secretary of State

Doc. No. 028721

State of Kansas

Secretary of State

Notice of Corporations Forfeited

In accordance with K.S.A. 17-7510, the articles of incorporation of the following corporations organized under the laws of Kansas and the authority of the following foreign corporations authorized to do business in Kansas were forfeited during the month of November 2002 for failure to timely file an annual report and pay the annual franchise tax as required by the Kansas general corporation code:

Domestic Corporations

A.M.T. Gas & Oil, American, Inc., Flomborn, Germany.
Advance Locker Service, Inc., Overland Park, KS.
Alfalfa Pellet Enterprises, Inc., Ulysses, KS.
American Bank Contractors, Inc., Phoenix, AZ.
Associates Business Credit, L.L.C., Houston, TX.
Atchison Construction, Inc., Atchison, KS.
Avallon Farming Corporation, St. Joseph, MO.
Battah of America, Inc., Thayer, KS.
Bear Construction Services, Inc., Prairie Village, KS.
Beckley Grain, Inc., Atwood, KS.
Best Friends Pet & Vet Supply, Inc., Wichita, KS.
Biomedical Systems of Brussels, Inc., St. Louis, MO.
Boston Supply & Construction, Inc., Salina, KS.
Boyd's R.V., Inc., Dodge City, KS.
Capitol Orthopedic Center Incorporated, Topeka, KS.
Chance Management, Inc., Colby, KS.
Clasen Enterprize, Inc., Nickerson, KS.
Community Recreation Association, Inc., Troy, KS.
Country Side Autobody, Inc., Stilwell, KS.
Craig D. Ratzlaff, D.D.S., P.A., Wichita, KS.
D. C. Services, Inc., Spring Hill, KS.
D-T Enterprises, L.C., Lawrence, KS.
Darla's One Stop Realty, Inc., Emporia, KS.
Dons Tire Service, Inc., Liberal, KS.
Earl Scheib of Kansas, Inc., Los Angeles, CA.
Essential Energy Supply, Inc., Mulvane, KS.
Extensible Systems, LLC, Pittsburg, KS.
Farmers Cooperative Oil Company, Barnes, KS.
Folklife Institute of Central Kansas, Lindsborg, KS.
Food Services of Western Kansas, Inc., Great Bend, KS.
Gamble Enterprises, Inc., Wichita, KS.
Genghis Khan, Inc., Lenexa, KS.
Great Plains Dental Products Company, Inc., Kingman, KS.
Green-Gro, Inc., Lawrence, KS.
Hart Contractors, Inc., Wichita, KS.
HCBA Services, Inc., Topeka, KS.
Henderson's Home Appliances, Inc., Garden City, KS.
Hicks, L.L.C., Prairie Village, KS.
Ibarra Steel Fabricators, LLC, Wichita, KS.
Innovative Energy Association, Dodge City, KS.
Innovative Material Systems, Inc., Olathe, KS.
Isodyne, Inc., Wichita, KS.
J & D Farms, Inc., Ingalls, KS.
Johnston's Ok-Kan Gins, L.L.C., Enid, OK.
K.K. Langford, Inc., Kansas City, KS.
Kansas City Analytical Services, Inc., Shawnee, KS.
Kansas City 4WD Association, Inc., Olathe, KS.
Kansas Seismic Exchange, Inc., Wichita, KS.
King Apartments, Inc., Independence, KS.
Lakeview Farms, Inc., Pittsburgh, PA.
Leawood Salon, Incorporated, Independence, MO.
Littlefox, Inc., Burlington, KS.

Lucky Pup Farm Inc., Bonner Springs, KS.
 M.D. Sanders Real Estate, Inc., Kansas City, KS.
 Medservices, Inc., Manchester, MA.
 Mental Health Association Pinecrest Place, Inc., Wichita, KS.
 Millennium Marketing, Inc., Shawnee, KS.
 Miller and Miller, Inc., Selden, KS.
 Miller Precision Machine, Inc., Olathe, KS.
 Minter-Wilson Drilling Co., Inc., Garden City, KS.
 Money Town, Inc., Wichita, KS.
 Mounts Oil Co., Garden City, KS.
 MP Transport, Inc., Ulysses, KS.
 Musil Farms, Inc., Blue Rapids, KS.
 My Store, Inc., Topeka, KS.
 National Inspection and Repair, Inc., Topeka, KS.
 National Motor Carriers Purchasing Group, Inc.,
 Kansas City, MO.
 New Testament Baptist Church, Wichita, KS.
 Parkwood Investment, L.L.C., Leavenworth, KS.
 Perkins, Smart & Boyd, Inc., Shawnee Mission, KS.
 Phillip Studer Trucking, Inc., Beattie, KS.
 Physicians Profit Source, Inc., Hutchinson, KS.
 Pioneer Materials, Inc., Wichita, KS.
 Protection Systems, Inc., Wichita, KS.
 PWCC, Inc., Topeka, KS.
 Pyrgos, Inc., Holton, KS.
 Quality Construction Homes, Inc., Olathe, KS.
 R/C Barnstormers M.A.C. Incorporated, Olathe, KS.
 Rio Baca, Inc., Grand River, IA.
 Russell Sport Aviation Club EAA Chapter 1214, Russell, KS.
 SCB, Inc., Overland Park, KS.
 Solo, Inc., Pratt, KS.
 SS&G Administrators, Inc., Great Bend, KS.
 SS&G Cos., Inc., Great Bend, KS.
 TFC Investments, L.L.C., Houston, TX.
 The Cramer Company, Inc., Wichita, KS.
 The Mane Place, Inc., Wichita, KS.
 The Matters Group, Inc., Lawrence, KS.
 The Minnesota Avenue, Inc., Kansas City, KS.
 The Riley County Fish and Game Association, Inc.,
 Manhattan, KS.
 TMET Inc., Overland Park, KS.
 Triple M Machinery, Inc., McPherson, KS.
 Turon Community Church, Turon, Kansas, Turon, KS.
 Ungers Bakery, Inc., Leavenworth, KS.
 Urban Construction, Inc., Severance, KS.
 Vic's Boots, Inc., Pittsburg, KS.
 Vielhauer Plumbing, Inc., Shawnee, KS.
 Vito's Plumbing, Inc., Overbrook, KS.
 Walt's Refrigeration Service, Inc., Wichita, KS.
 Wes York Trenching, L.P., Olathe, KS.
 Woofter Construction & Irrigation, Inc., Colby, KS.

Foreign Corporations

A.W.L.G., Inc., Long Beach, CA.
 Access National Mortgage, Inc., Cheshire, CT.
 America's Car Mart, Inc., Rogers, AR.
 Avista Corporation, Spokane, WA.
 Bistro Soups, Ltd., Chicago, IL.
 Bott Broadcasting Company, Overland Park, KS.
 Bott Communications, Inc., Overland Park, KS.
 Camp Hebron Foundation, Hutchinson, KS.
 CEO Telecommunications, Inc., Santa Barbara, CA.
 Comet Motors, Inc., Salina, KS.
 Commodity Specialists Company, Minneapolis, MN.
 Concorde Acceptance Corporation, Dallas, TX.
 D.J. Christie, Inc., Overland Park, KS.
 Daktronics, Inc., Brookings, SD.
 Distribution Construction Co., Greensboro, NC.

Enterprise Marketing, Inc., Overland Park, KS.
 Focus on Sabbatical U.S., Inc., Winstead, CT.
 Fulcrum Growth Partners, L.L.C., Omaha, NE.
 Gerber Coburn Optical, Inc., South Windsor, CT.
 Group Long Distance, Inc., Pompano Beach, FL.
 Gypsum Management and Supply, Inc., Tucker, GA.
 Heinz Management Company, Pittsburgh, PA.
 Henn, White & Waters, a Professional Corporation,
 Shawnee Mission, KS.
 Hunter Care Centers, Inc., Chesterfield, MO.
 Industrial Network Systems Corp., Mount Prospect, IL.
 IRET Properties, a North Dakota Limited Partnership,
 Minot, ND.
 IT Network, Inc., Dallas, TX.
 J & E Company, Inc., Olathe, KS.
 J.C. Excavation Unlimited, Inc., Arlington, NE.
 Jefferson Place, L.P., Omaha, NE.
 KEHE Food Distributors, Inc., Romeoville, IL.
 KFG Petroleum Corporation, Natchez, MS.
 KOM Gas, Inc., Bethany, OK.
 L.R. Wyss Construction, Inc., Lee's Summit, MO.
 Lenze Corporation, Lawrenceville, GA.
 Mar-And Motel, Inc., Lincoln, NE.
 Marcanbet, Inc., Shawnee Mission, KS.
 Mars Enterprises, Inc., Hamburg, IA.
 Masco, Inc., North Little Rock, AR.
 Medtronic Ave, Inc., Santa Rosa, CA.
 Mitchell Construction Company, Inc., Vidalia, GA.
 Motor Car Dealers Association of Greater Kansas City,
 Leawood, KS.
 Mr. Gatti's, Inc., Kerrville, TX.
 National Partnership Equities, Inc., Beverly Hills, CA.
 Norstan Network Services, Inc., Minnetonka, MN.
 Pacific Mortgage & Investment Company, Bellevue, WA.
 Pioneer Rock and Chat, Inc., Commerce, OK.
 Premier Cattle Feeders, Inc., Kansas City, MO.
 Primelink Systems, Inc., Folsom, LA.
 Professional Associates, Ltd., Omaha, NE.
 Protection Services Inc., Harrisburg, PA.
 Realty Title Company, Independence, MO.
 Retail Acquisition & Development, Inc., Dallas, TX.
 Rock Products, Inc., Alamosa, CO.
 Royster-Clark Agribusiness, Inc., Northbrook, IL.
 SCB Computer Technology, Inc., Memphis, TN.
 Schlumberger Technology Corporation, Sugar Land, TX.
 School Specialty, Inc., Appleton, WI.
 SDC Management Co., Inc., Memphis, TN.
 Shasta Beverages, Inc., Plantation, FL.
 State Line Grain Company, Manchester, OK.
 Summit Lawn and Landscape, Inc., Grandview, MO.
 Superior Lawn and Landscape, Inc., Belton, MO.
 Sutter General Contractors, Inc., Lenexa, KS.
 Tomkins Industries, Inc., Dayton, OH.
 Voice Vision International Inc., Duluth, GA.
 Western Operating Company, Denver, CO.
 Westvaco Corporation, Richmond, VA.
 Wetlands America Trust, Inc., Memphis, TN.
 Willard Grain & Feed, Inc., Frisco, TX.
 Wisenberg, Pozmantier & Co., Inc., Houston, TX.

Ron Thornburgh
 Secretary of State

Doc. No. 028711

State of Kansas

Secretary of State

Certificate of the
State Board of Canvassers
General Election, November 5, 2002

We the undersigned, constituting the State Board of Canvassers of the State of Kansas, do hereby certify that we have examined the certified abstracts of votes on file in the office of the Secretary of State, as prescribed by law, and we find the statement given therein of the whole number of votes cast at the General Election held on November 5, 2002 for the several candidates for the various National and State offices therein named, and the votes for retention in the office of Justice of the Supreme Court, Court of Appeals Judges, District Judges and District Magistrate Judges, is true and correct as shown by such abstract.

We further certify that the following named persons were duly elected, or retained, to the respective offices at the General Election held on November 5, 2002.

United States Senate

Pat Roberts, Dodge City, Republican

United States House of Representatives, District 1

Jerry Moran, Hays, Republican

United States House of Representatives, District 2

Jim Ryun, Lawrence, Republican

United States House of Representatives, District 3

Dennis Moore, Lenexa, Democratic

United States House of Representatives, District 4

Todd Tiaht, Goddard, Republican

Governor

Kathleen Sebelius, Topeka, Democratic

Secretary of State

Ron Thornburgh, Topeka, Republican

Attorney General

Phill Kline, Shawnee, Republican

Commissioner of Insurance

Sandy Praeger, Lawrence, Republican

State Treasurer

Lynn Jenkins, Topeka, Republican

Kansas House of Representatives, District 1

Doug Gatewood, Columbus, Democratic

Kansas House of Representatives, District 2

Robert "Bob" Grant, Cherokee, Democratic

Kansas House of Representatives, District 3

R.J. Wilson, Pittsburg, Democratic

Kansas House of Representatives, District 4

Andrew Howell, Fort Scott, Republican

Kansas House of Representatives, District 5

Bill Feuerborn, Garnett, Democratic

Kansas House of Representatives, District 6

Jene Vickrey, Louisburg, Republican

Kansas House of Representatives, District 7

Jeff Jack, Parsons, Republican

Kansas House of Representatives, District 8

Jerry D. Williams, Chanute, Democratic

Kansas House of Representatives, District 9

Stanley Dreher, Iola, Republican

Kansas House of Representatives, District 10

Tom Holland, Baldwin City, Democratic

Kansas House of Representatives, District 11

James F. Miller, Coffeyville, Democratic

Kansas House of Representatives, District 12

C. Frank Miller, Independence, Republican

Kansas House of Representatives, District 13

Mary C. Compton, Lafontaine, Republican

Kansas House of Representatives, District 14

Dan Williams, Olathe, Republican

Kansas House of Representatives, District 15

Arlen Siegfried, Olathe, Republican

Kansas House of Representatives, District 16

Jim Yonally, Overland Park, Republican

Kansas House of Representatives, District 17

Stephanie Sharp, Lenexa, Republican

Kansas House of Representatives, District 18

Cindy Neighbor, Shawnee, Republican

Kansas House of Representatives, District 19

Thomas C. (Tim) Owens, Overland Park, Republican

Kansas House of Representatives, District 20

Kevin W. Yoder, Overland Park, Republican

Kansas House of Representatives, District 21

Dean Newton, Prairie Village, Republican

Kansas House of Representatives, District 22

Sue Storm, Overland Park, Democratic

Kansas House of Representatives, District 23

Judy Morrison, Shawnee, Republican

Kansas House of Representatives, District 24

Robert "Bob" Tomlinson, Roeland Park, Republican

Kansas House of Representatives, District 25

Terrie W. Huntington, Mission Hills, Republican

Kansas House of Representatives, District 26

Larry L. Campbell, Olathe, Republican

Kansas House of Representatives, District 27

Ray Merrick, Stilwell, Republican

Kansas House of Representatives, District 28

Doug Patterson, Leawood, Republican

Kansas House of Representatives, District 29

Patricia Lightner, Overland Park, Republican

Kansas House of Representatives, District 30

David Huff, Lenexa, Republican

Kansas House of Representatives, District 31

Bonnie Sharp, Kansas City, Democratic

Kansas House of Representatives, District 32

Rick Rehorn, Kansas City, Democratic

Kansas House of Representatives, District 33

Tom Burroughs, Kansas City, Democratic

Kansas House of Representatives, District 34
Valdenia C. Winn, Kansas City, Democratic

Kansas House of Representatives, District 35
Broderick Henderson, Kansas City, Democratic

Kansas House of Representatives, District 36
Margaret E. Long, Kansas City, Democratic

Kansas House of Representatives, District 37
Bill Reardon, Kansas City, Democratic

Kansas House of Representatives, District 38
Rob Boyer, Olathe, Republican

Kansas House of Representatives, District 39
Ray L. Cox, Bonner Springs, Republican

Kansas House of Representatives, District 40
L. Candy Ruff, Leavenworth, Democratic

Kansas House of Representatives, District 41
Marti Crow, Leavenworth, Democratic

Kansas House of Representatives, District 42
Kenny A. Wilk, Lansing, Republican

Kansas House of Representatives, District 43
John Ballou, Gardner, Republican

Kansas House of Representatives, District 44
Barbara W. Ballard, Lawrence, Democratic

Kansas House of Representatives, District 45
Tom Sloan, Lawrence, Republican

Kansas House of Representatives, District 46
Troy Findley, Lawrence, Democratic

Kansas House of Representatives, District 47
Lee Tafarielli, Ozawie, Republican

Kansas House of Representatives, District 48
Eric Carter, Overland Park, Republican

Kansas House of Representatives, District 49
Scott Schwab, Olathe, Republican

Kansas House of Representatives, District 50
Becky J. Hutchins, Holton, Republican

Kansas House of Representatives, District 51
Mike Burgess, Topeka, Republican

Kansas House of Representatives, District 52
Lana Gordon, Topeka, Republican

Kansas House of Representatives, District 53
Roger E. Toelkes, Topeka, Democratic

Kansas House of Representatives, District 54
Doug Mays, Topeka, Republican

Kansas House of Representatives, District 55
Annie Kuether, Topeka, Democratic

Kansas House of Representatives, District 56
Nancy Kirk, Topeka, Democratic

Kansas House of Representatives, District 57
Vaughn Flora, Topeka, Democratic

Kansas House of Representatives, District 58
Rocky Nichols, Topeka, Democratic

Kansas House of Representatives, District 59
Joe D. Humerickhouse, Osage City, Republican

Kansas House of Representatives, District 60
Don Hill, Emporia, Republican

Kansas House of Representatives, District 61
Verlyn (Vern) Osborne, St. George, Republican

Kansas House of Representatives, District 62
Bruce F. Larkin, Baileyville, Democratic

Kansas House of Representatives, District 63
Jerry Henry, Cummings, Democratic

Kansas House of Representatives, District 64
Kathe Lloyd, Clay Center, Republican

Kansas House of Representatives, District 65
Barbara Craft, Junction City, Republican

Kansas House of Representatives, District 66
Sydney Carlin, Manhattan, Democratic

Kansas House of Representatives, District 67
Roger P. Reitz, Manhattan, Republican

Kansas House of Representatives, District 68
William A. Kassebaum, Burdick, Republican

Kansas House of Representatives, District 69
Deena L. Horst, Salina, Republican

Kansas House of Representatives, District 70
Donald L. Dahl, Hillsboro, Republican

Kansas House of Representatives, District 71
Carol Edward Beggs, Salina, Republican

Kansas House of Representatives, District 72
Tom Thull, North Newton, Democratic

Kansas House of Representatives, District 73
Clark Shultz, Lindsborg, Republican

Kansas House of Representatives, District 74
Carl Krehbiel, Moundridge, Republican

Kansas House of Representatives, District 75
William G. Mason, El Dorado, Republican

Kansas House of Representatives, District 76
Peggy Long, Madison, Republican

Kansas House of Representatives, District 77
Everett L. Johnson, Augusta, Republican

Kansas House of Representatives, District 78
Judy Showalter, Winfield, Democratic

Kansas House of Representatives, District 79
Joe Shriver, Arkansas City, Democratic

Kansas House of Representatives, District 80
Bill McCreary, Wellington, Republican

Kansas House of Representatives, District 81
Ted Powers, Mulvane, Republican

Kansas House of Representatives, District 82
Don V. Myers, Derby, Republican

Kansas House of Representatives, District 83
Jo Ann Pottorff, Wichita, Republican

Kansas House of Representatives, District 84
Donald Betts Jr., Wichita, Democratic

Kansas House of Representatives, District 85
Steve Brunk, Wichita, Republican

(continued)

Kansas House of Representatives, District 86
Judith Loganbill, Wichita, Democratic

Kansas House of Representatives, District 87
Bonnie Huy, Wichita, Republican

Kansas House of Representatives, District 88
Jim Ward, Wichita, Democratic

Kansas House of Representatives, District 89
Ruby Gilbert, Wichita, Democratic

Kansas House of Representatives, District 90
Steve Huebert, Valley Center, Republican

Kansas House of Representatives, District 91
Brenda Landwehr, Wichita, Republican

Kansas House of Representatives, District 92
Nile Dillmore, Wichita, Democratic

Kansas House of Representatives, District 93
Daniel J. Thimesch, Cheney, Democratic

Kansas House of Representatives, District 94
Joe McLeland, Wichita, Republican

Kansas House of Representatives, District 95
Tom Sawyer, Wichita, Democratic

Kansas House of Representatives, District 96
Willa DeCastro, Wichita, Republican

Kansas House of Representatives, District 97
Dale A. Swenson, Wichita, Republican

Kansas House of Representatives, District 98
Geraldine Flaharty, Wichita, Democratic

Kansas House of Representatives, District 99
Todd Novascone, Wichita, Republican

Kansas House of Representatives, District 100
Mario Goico, Wichita, Republican

Kansas House of Representatives, District 101
Mary Kauffman, Hutchinson, Republican

Kansas House of Representatives, District 102
Janice L. Pauls, Hutchinson, Democratic

Kansas House of Representatives, District 103
Thomas Klein, Wichita, Democratic

Kansas House of Representatives, District 104
Michael R. "Mike" O'Neal, Hutchinson, Republican

Kansas House of Representatives, District 105
Jeff Goering, Wichita, Republican

Kansas House of Representatives, District 106
Sharon Schwartz, Washington, Republican

Kansas House of Representatives, District 107
Joann Lee Freeborn, Concordia, Republican

Kansas House of Representatives, District 108
Joshua Svaty, Ellsworth, Democratic

Kansas House of Representatives, District 109
Clay Aurand, Courtland, Republican

Kansas House of Representatives, District 110
Dan Johnson, Hays, Republican

Kansas House of Representatives, District 111
Eber Phelps, Hays, Democratic

Kansas House of Representatives, District 112
John Edmonds, Great Bend, Republican

Kansas House of Representatives, District 113
Bob Bethell, Alden, Republican

Kansas House of Representatives, District 114
Melvin G. Minor, Stafford, Democratic

Kansas House of Representatives, District 115
Melvin J. Neufeld, Ingalls, Republican

Kansas House of Representatives, District 116
Dennis McKinney, Greensburg, Democratic

Kansas House of Representatives, District 117
Larry R. Powell, Kalvesta, Republican

Kansas House of Representatives, District 118
Ralph Ostmeyer, Grinnell, Republican

Kansas House of Representatives, District 119
Ethel M. Peterson, Dodge City, Democratic

Kansas House of Representatives, District 120
John M. Faber, Atwood, Republican

Kansas House of Representatives, District 121
Jim Morrison, Colby, Republican

Kansas House of Representatives, District 122
Gary K. Hayzlett, Lakin, Republican

Kansas House of Representatives, District 123
Ward Loyd, Garden City, Republican

Kansas House of Representatives, District 124
Bill Light, Rolla, Republican

Kansas House of Representatives, District 125
Carl D. Holmes, Liberal, Republican

Member, State Board of Education, District 1
Janet Waugh, Kansas City, Democratic

Member, State Board of Education, District 3
John W. Bacon, Olathe, Republican

Member, State Board of Education, District 5
Connie Morris, St. Francis, Republican

Member, State Board of Education, District 7
Kenneth R. Willard, Hutchinson, Republican

Member, State Board of Education, District 9
Iris M. Van Meter, Thayer, Republican

Kansas Supreme Court, Position 2
Kay McFarland, Topeka

Kansas Court of Appeals, Position 1
David S. Knudson, Salina

Kansas Court of Appeals, Position 2
Lee A. Johnson, Caldwell

Kansas Court of Appeals, Position 4
Carol A. Beier, Wichita

Kansas Court of Appeals, Position 6
Robert J. Lewis Jr., Atwood

Kansas Court of Appeals, Position 7
Henry W. Green Jr., Leavenworth

Kansas Court of Appeals, Position 8
Jerry G. Elliott, Wichita

Kansas Court of Appeals, Position 9

Gary W. Rulon, Emporia

Kansas Court of Appeals, Position 10

Robert L. Gernon, Hiawatha

District Court Judge, District 1, Division 4

David J. King, Leavenworth

District Court Judge, District 1, Division 5

Philip C. Lacey, Atchison

District Court Judge, District 3, Division 3

Marla J. Luckert, Topeka

District Court Judge, District 3, Division 4

Eric S. Rosen, Topeka

District Court Judge, District 3, Division 5

James M. Macnish Jr., Topeka

District Court Judge, District 3, Division 6

Terry L. Bullock, Topeka

District Court Judge, District 3, Division 10

Daniel L. Mitchell, Topeka

District Court Judge, District 4, Division 1

Phillip M. Fromme, Burlington

District Court Judge, District 5, Division 1

John O. Sanderson, Emporia

District Court Judge, District 5, Division 2

W. Lee Fowler, Cottonwood Falls

District Court Judge, District 6, Division 1

Stephen Douglas Hill, Paola

District Court Judge, District 6, Division 2

Richard M. Smith, Mound City

District Court Judge, District 6, Division 3

Gerald W. Hart, Fort Scott

District Court Judge, District 7, Division 1

Robert W. Fairchild, Lawrence

District Court Judge, District 7, Division 3

Jean F. Shepherd, Lawrence

District Court Judge, District 8, Division 1

Ben J. Sexton, Abilene

District Court Judge, District 8, Division 2

Larry E. Bengtson, Junction City

District Court Judge, District 8, Division 4

Steven Hornbaker, Junction City

District Court Judge, District 8, Division 5

David R. Platt, Junction City

District Court Judge, District 9, Division 2

Richard B. Walker, Newton

District Court Judge, District 10, Division 1

Peter V. Ruddick, Olathe

District Court Judge, District 10, Division 7

Janice D. Russell, Olathe

District Court Judge, District 10, Division 8

Steve Leben, Fairway

District Court Judge, District 10, Division 9

Allen R. Slater, Olathe

District Court Judge, District 10, Division 10

Larry McClain, Overland Park

District Court Judge, District 10, Division 11

Thomas H. Bornholdt, Olathe

District Court Judge, District 11, Division 3

Robert J. Fleming, Weir

District Court Judge, District 12

Thomas M. Tuggle, Concordia

District Court Judge, District 13, Division 1

John E. Sanders, Eureka Republican

District Court Judge, District 13, Division 4

Mike Ward, El Dorado, Republican

District Court Judge, District 14, Division 1

Rawley J. (Judd) Dent, Independence, Republican

District Court Judge, District 14, Division 2

Roger L. Gossard, Coffeyville, Republican

District Court Judge, District 16, Division 1

Daniel L. Love, Dodge City, Democratic

District Court Judge, District 18, Division 4

David W. Kennedy, Wichita, Republican

District Court Judge, District 18, Division 5

Greg Waller, Wichita, Democratic

District Court Judge, District 18, Division 7

Ben Burgess, Wichita, Republican

District Court Judge, District 18, Division 8

Tim Lahey, Wichita, Republican

District Court Judge, District 18, Division 15

David J. Kaufman, Wichita, Republican

District Court Judge, District 18, Division 17

Tom Malone, Wichita, Democratic

District Court Judge, District 18, Division 18

Tony Powell, Wichita, Republican

District Court Judge, District 18, Division 19

Mark A. Vining, Wichita, Republican

District Court Judge, District 19, Division 3

J. Michael Smith, Arkansas City, Republican

District Court Judge, District 20, Division 1

Barry A. Bennington, St. John, Democratic

District Court Judge, District 21, Division 2

Meryl D. Wilson, Manhattan

District Court Judge, District 21, Division 3

David L. Stutzman, Manhattan

District Court Judge, District 22, Division 1

James A. Patton, Hiawatha, Republican

District Court Judge, District 24

Bruce T. Gatterman, Larned, Republican

District Court Judge, District 25, Division 1

Robert J. Frederick, Lakin

District Court Judge, District 26, Division 1

Tom R. Smith, Hugoton, Republican

District Court Judge, District 26, Division 3

Kim R. Schroeder, Hugoton, Republican

(continued)

District Court Judge, District 27, Division 1
Richard J. Rome, Hutchinson, Democratic

District Court Judge, District 27, Division 3
Steven R. Becker, Buhler, Republican

District Court Judge, District 28, Division 1
Daniel L. Hebert, Salina

District Court Judge, District 28, Division 2
Jerome P. Hellmer, Salina

District Court Judge, District 29, Division 3
John J. McNally, Kansas City, Democratic

District Court Judge, District 29, Division 4
George Groneman, Kansas City, Democratic

District Court Judge, District 29, Division 5
J. Dexter Burdette, Kansas City, Democratic

District Court Judge, District 29, Division 6
Cordell D. Meeks Jr., Kansas City, Democratic

District Court Judge, District 29, Division 10
Jan A. Way, Kansas City, Democratic

District Court Judge, District 29, Division 11
David Boal, Kansas City, Democratic

District Court Judge, District 29, Division 12
Philip L. Sieve, Kansas City, Democratic

District Court Judge, District 29, Division 15
Ernest L. Johnson, Kansas City, Democratic

District Court Judge, District 30, Division 3
R. Scott McQuin, Wellington

District Court Judge, District 30, Division 4
Larry T. Solomon, Kingman

District Court Judge, District 31, Division 2
C. Fred Lorentz, Fredonia

District Magistrate Judge, District 2, Position 2
Steven M. Roth, Westmoreland

District Magistrate Judge, District 4, Position 2
Edwin R. Smith, Ottawa

District Magistrate Judge, District 5
John R. Conklin, Cottonwood Falls

District Magistrate Judge, District 6
Rebecca R. Stephan, Fort Scott

District Magistrate Judge, District 8, Position 2
Thomas H. Ball, Council Grove

District Magistrate Judge, District 12, Position 4
Bonnie J. Wilson, Beloit

District Magistrate Judge, District 12, Position 6
Terry N. Taylor, Washington

District Magistrate Judge, District 17, Position 3
Debra Anderson, Norton, Republican

District Magistrate Judge, District 21
Paul R. Wright, Clay Center

District Magistrate Judge, District 22, Position 3
James B. (Jim) O'Connor, Seneca, Democratic

District Magistrate Judge, District 23, Position 1
Lois B. Werner, Gove, Republican

District Magistrate Judge, District 25, Position 2
Donna L.J. Blake, Syracuse

District Magistrate Judge, District 30, Position 1
Scott L. McGuire, Medicine Lodge

District Magistrate Judge, District 30, Position 3
James D. Mathis, Kingman

District Magistrate Judge, District 31, Position 1
Thomas M. Saxton Jr., Iola

IN TESTIMONY WHEREOF, we have hereunto subscribed our names this second day of December, A.D. 2002.

Bill Graves
Governor

Ron Thornburgh
Secretary of State

Carla J. Stovall
Attorney General

Doc. No. 028718

State of Kansas

Office of Judicial Administration Court of Appeals Docket

(Note: Dates and times of arguments are subject to change.)

Kansas Court of Appeals
Old Sedgwick County Courthouse
510 N. Main, 3rd Floor
Wichita, Kansas

Before Rulon, C.J.; Johnson, J.; and Rogg, S.J.

Tuesday, January 14, 2003

9:30 a.m.

Case No.	Case Name	Attorneys	Jurisdiction
88,262	City of Hays, Kansas, Appellant, v. Big Creek Improvement District and Prairie Acres Improvement District.	David M. Traster Randall K. Rathbun Tony L. Atterbury	Ellis

88,586	Foley Supply, L.L.C., Appellee, Cross-Appellant, v. Jim Strelow, Appellant, Cross-Appellee.	Shannon D. Wead Richard V. Foote	Sedgwick
86,963	State of Kansas, Appellee, v. Michael Kenneth Bowen, Appellant.	Attorney General Larry D. Tittel, C.A. Ralph J. DeZago	Ness
88,058	State of Kansas, Appellee, v. Juan A. Perdomo, Appellant.	Attorney General Thomas R. Stanton, Deputy D.A. Theresa Barr, Asst. A.D.	Reno
87,285	State of Kansas, Appellee, v. Bobby Joe Hartfield, Appellant.	Attorney General Keith E. Schroeder, D.A. Nathan Webb, Asst. A.D.	Reno
1:30 p.m.			
87,574 88,426	Casey Puckett, Appellant, v. State of Kansas, Appellee.	Randall L. Hodgkinson, Deputy A.D. Attorney General Debra S. Peterson, Asst. D.A. Lesley A. Isherwood, Asst. D.A.	Sedgwick
89,006	State of Kansas, Appellee, v. Carlos Garcia, Appellant.	Attorney General Debra S. Peterson, Asst. D.A. Lesley A. Isherwood, Asst. D.A. Peter Maharry, Asst. A.D.	Sedgwick
87,795	State of Kansas, Appellee, v. Stacy Allen Munson, Appellant.	Attorney General Stacy Lynn Cunning, Asst. C.A. Kristen Chowning, Asst. A.D.	Saline
87,870	State of Kansas, Appellee, v. Charles R. Jackson, Appellant.	Attorney General Ty Kaufman, C.A. Shawn Minihan, Asst. A.D.	McPherson
88,975	Kanorado Cooperative Association, Appellant, v. Jerry Winter, a/k/a Jerry L. Winter, Appellee.	Jeffery A. Mason Perry Warren	Sherman

Wednesday, January 15, 2003**9:30 a.m.**

Case No.	Case Name	Attorneys	Jurisdiction
88,406	In the Interest of D.M.H., DOB: 01/30/96, and W.H., DOB 10/25/97, Children Under 18 Years of Age.	Geary N. Gorup Larry S. Vernon	Sedgwick
88,689	In the Matter of the Guardianship of N.A.Z.B., a Minor Child.	Jim D. Garner John R. Horst	Montgomery
88,951	Melissa Trekell and Mark Trekell, Appellants, v. Sunflower Bank, NA, and Dorlene Trekell (Third Party Defendant), Appellees, and In the Matter of the Estate of William Trekell, Deceased.	Philip Ridenour Ronald C. Mason	Ford

(continued)

88,192	Thayer Aerospace Plating, Inc., a	Timothy B. Mustaine	Sedgwick
88,624	Delaware Corporation; and Air Capitol Plating, Inc., a Kansas Corporation, Ap- pellants, Cross-Appellees, v. Michael H. Wilson, Keith M. Dial, Appellees, Cross-Appellants, William R. Birchfield, and Yathink L.L.C., f/k/a Recreational Technologies, L.L.C., a Kansas Corporation, Appellees.	James D. Oliver Jeff C. Spahn Jr. James R. Jarrow	
87,885	State of Kansas, Appellee, Paul E. Raiburn, Appellant.	Attorney General Debra S. Peterson, Asst. D.A. Boyd K. Isherwood, Asst. D.A. Paige A. Nichols, Asst. A.D.	Sedgwick

Summary Calendar—No Oral Argument

Case No.	Case Name	Attorneys	Jurisdiction
88,588	State of Kansas, Appellee,	Attorney General	Barton
88,589	v. Ignacio Balderrama, Appellant.	Douglas A. Matthews, Asst. C.A. Martin J. Keenan	
88,990	In the Matter of the Marriage of Diana Shepack, Appellant, and Joseph Shepack, Appellee.	Tish Morrical Joseph Shepack, Pro Se	Ellsworth
88,047	State of Kansas, Appellee, v. Allen Resor, Appellant.	Attorney General Keri A. Kish, Asst. C.A. Korey A. Kaul, Asst. A.D.	Ford
88,942	State of Kansas, Appellant, v. Brian K. Kersh, Appellee.	Attorney General Douglas A. Matthews, Asst. C.A.	Barton
88,215	In the Interest of J.E.H., DOB: 12/16/95, a Child Under 18 Years of Age.	Roger Batt William R. Griffith Tad D. Wagner	Sedgwick
88,976	City of Mulvane, Kansas, Appellee, v. Jeffery Roberts, Appellant.	Bruce L. Stewart Bruce A. Swenson	Sumner
88,128	Frederick N. Patterson, Appellant, v. State of Kansas, Appellee.	Paige A. Nichols, Asst. A.D. Attorney General Debra S. Peterson, Asst. D.A. Kristi L. Barton, Asst. D.A.	Sedgwick
88,269	Derrick L. Douglas, Appellant, v. State of Kansas, Appellee.	Ralph J. DeZago Attorney General James B. Pattison, Asst. C.A. Ellen Mitchell, C.A.	Saline
88,518	Pauline F. Power, Appellee, v. Vicki J. Unruh, Appellant.	David G. Shriver Robert F. Stover	McPherson
88,076	City of Wichita, Appellee, v. Roosevelt Brown, Appellant.	Sharon L. Dickgrafe Stephen B. Plummer	Sedgwick
88,163	Jerome E. Lewis, Appellant, v. State of Kansas, Appellee.	Stephen E. Plummer Attorney General Debra S. Peterson, Asst. D.A. Kristi L. Barton, Asst. D.A.	Sedgwick
88,831	State of Kansas, Appellee, v. Jeffrey W. Windholz, Appellant.	Attorney General Daniel W. Krug, C.A. Michael S. Holland II	Russell

89,196	In the Interest of S.H., a Minor Child Under the Age of 18 Years.	William N. Lacy Melissa D. Thiesing, C.A. Thomas P. Mikulka, G.A.L.	Neosho
88,389	State of Kansas, Appellee, v. Kevin W. Whitt, Appellant.	Attorney General Debra S. Peterson, Asst. D.A. Boyd K. Isherwood, Asst. D.A. Rick Kittel, Asst. A.D.	Sedgwick
89,133	In the Interest of T.B., DOB: 11/27/87; J.N., DOB: 02/21/94; C.N., DOB: 06/26/00; Children Under 18 Years of Age.	Roger Batt Larry S. Vernon	Sedgwick

**Kansas Court of Appeals
Sedgwick County Courthouse
Courtroom 11-1
525 N. Main
Wichita, Kansas**

Before Knudson, P.J.; Gernon, J.; and Buchele, S.J.

Tuesday, January 14, 2003

9:30 a.m.

Case No.	Case Name	Attorneys	Jurisdiction
86,915 87,581	State of Kansas, Appellee, v. Story L. Gotti, Appellant.	Attorney General Keith E. Schroeder, D.A. Kurt P. Kerns	Reno
88,132	State of Kansas, Appellee, v. Michael D. Liebau, Appellant.	Attorney General Debra S. Peterson, Asst. D.A. Lesley A. Isherwood, Asst. D.A. Keihl Rathbun	Sedgwick
88,255	City of Wellington, Appellee, v. Mark A. May, Appellant.	Kerwin L. Spencer, City Prosecutor Michael C. Brown	Sumner
88,404	State of Kansas, Appellee, v. Karole Ann Lindgren, Appellant.	Attorney General Keith Collett, Asst. C.A. Susan C. Robson, C.A. Keith D. Hoffman	Marion
88,428	Brad A. Phillips, Brook J. Phillips, MAAA, L.C., and Mid-America Auto Auction, Inc., Appellees, v. Bill R. Phillips, Appellee, and Janee Marie Comley, f/k/a Janee Marie Phillips, Intervenor, Appellant.	Robert Martin Christopher J. Redmond John T. Conlee	Butler

1:30 p.m.

88,000	State of Kansas, Appellee, v. Cesar Ivan Aguilar, Appellant.	Attorney General James R. Watts, Asst. C.A. Steven R. Zinn, Deputy A.D.	Butler
88,815	State of Kansas, Appellee, v. Steven R. McClure, Appellant.	Attorney General James R. Watts, Asst. C.A. Shawn Miniham, Asst. A.D.	Butler

(continued)

87,341	State of Kansas, Appellee, v. Allen Loggins, Jr., Appellant.	Attorney General Keith E. Schroeder Patrick H. Dunn, Asst. A.D.	Reno
88,411	State of Kansas, Appellant, v. Travis S. Dale, Appellee.	Attorney General Robert E. Johnson II, C.A. William J. Graybill	Stevens
88,116	Merle W. Schmidt, Appellee, Cross- Appellant, v. Joyce A. Brown, Appellant, Cross- Appellee.	Mark A. Guilfoyle David P. Troup	Dickinson
87,868	Tyron L. Hardaway, Appellant, v. State of Kansas, Appellee.	Peter Maharry, Asst. A.D. Attorney General Ty Kaufman, C.A.	McPherson

Wednesday, January 15, 2003

9:30 a.m.

Case No.	Case Name	Attorneys	Jurisdiction
87,684	Shane A. Garrett, an Incapacitated Person By and Through Brenda J. Garrett and Ron E. Garrett, as Next Friends, Appellants, Cross-Appellees, v. Weider Nutrition International, Inc., a Foreign Corporation, Appellee, Cross- Appellant, and Genesis Health Club, Inc., a Domestic Corporation, Appellee.	Andrew W. Hutton Chan P. Townsley Richard L. Honeyman	Sedgwick
88,543	State of Kansas, Appellee, v. Joseph L. Way, Appellant.	Attorney General Debra S. Peterson, Asst. D.A. Kristi L. Barton, Asst. D.A. Rick Kittel, Asst. A.D.	Sedgwick
88,361 88,362	State of Kansas, Appellee, v. Larry W. Davis, Appellant.	Attorney General Debra S. Peterson, Asst. D.A. Boyd K. Isherwood, Asst. D.A. Paige A. Nichols, Asst. A.D.	Sedgwick
87,913	State of Kansas, Appellee, v. Sherman Walker, a/k/a Sherman W. Taylor, Appellant.	Attorney General Debra S. Peterson, Asst. D.A. Boyd K. Isherwood, Asst. D.A. Rebecca E. Woodman, Asst. A.D.	Sedgwick
88,484	In the Interest of B.H. and N.H.	Kip Johnson Thomas J. Drees, C.A.	Ellis

Summary Calendar—No Oral Argument

Case No.	Case Name	Attorneys	Jurisdiction
89,044	Davis Electric, Inc., Appellee, v. Shane Showalter, d/b/a Steel Mill Bar and Grill; Steel Mill Bar and Grill, LLC; Susan Webb, "Security State Bank Scott City, Kansas," Appellant. North American Turf, LLP, BT Plumbing, Inc.; Ungers Heating and Air Condi- tioning, Inc.; Wards Garden City, Inc.; Lanoga Corporation through its Subdi- vision, United Building Centers, Garden City, Kansas; Klotz Sand Company, Inc.; and Midwest Steel, Inc.	E. Edward Brown John M. Lindner Charles E. Owen II Keen K. Brantley John Shirley	Finney

88,763	In the Matter of the Marriage of Lauren J. Miller, Jr., Appellee, and Leigh Anne M. Schneider, Appellant.	Leigh Anne Schneider, Pro Se	Sedgwick
87,946	Frederick Nolan Dale, Jr., Appellant, v. State of Kansas, Appellee.	Peter Maharry, Asst. A.D. Attorney General Thomas R. Stanton, Deputy D.A.	Reno
87,997	State of Kansas, Appellee, v. Mario M. Garza, Appellant.	Attorney General Debra S. Peterson, Asst. D.A. Kristi L. Barton, Asst. D.A. Kathryn B. Wall, Asst. A.D.	Sedgwick
88,914	In the Interest of: B.A.R., DOB: 01/17/95 J.L.S., DOB: 06/22/00	Roger Batt Larry S. Vernon	Sedgwick
88,022	Christal Cook, Individually and as Special Administrator of the Estate of David Cook, Deceased, Appellee, v. Rod Buzzas, M.D.; Brent Lancaster, M.D., Appellant, and Wesley Medical Center, L.L.C.	Gerard C. Scott Jerry D. Hawkins	Sedgwick
87,724	State of Kansas, Appellee, v. Takisha D. Williams, a/k/a Takisha D. Carr, Appellant.	Attorney General Debra S. Peterson, Asst. D.A. Boyd K. Isherwood, Asst. D.A. Rick Kittel, Asst. A.D.	Sedgwick
88,097	Louis S. Jackson, Jr., Appellant, v. Wanda Butterfield, Appellee.	F. Greg Mathias Norman G. Manley	Butler
88,221	John Beebe, Appellant, v. State of Kansas, Appellee.	Julia Spainhour, NE Ks. Conflicts Office Attorney General Morgan Metcalf, Asst. C.A.	Butler
87,426	Robert E. Lowe, Jr., Appellant, v. State of Kansas, Appellee.	Gary W. Owens Attorney General Debra S. Peterson, Asst. D.A. Boyd K. Isherwood, Asst. D.A.	Sedgwick
88,748	Robert D. Leroy, Appellee, v. Ash Grove Cement Company, Respondent, Self-Insured, Appellant.	Edwin H. Bideau III Douglas M. Greenwald	Work Comp.
88,348	State of Kansas, Appellee, v. Dayne L. Voigt, Appellant.	Attorney General James R. Watts, Asst. C.A. Mary Curtis, Asst. A.D.	Butler
88,164	Arthur Mannie, Appellant, v. State of Kansas, Appellee.	Stephen B. Plummer Attorney General Debra S. Peterson, Asst. D.A. Kristi L. Barton, Asst. D.A.	Sedgwick
89,089	City of Hutchinson, Appellee, v. Brian Birzer, Appellant.	Carolyn H. Patterson, City Atty. Randall H. McEwen	Reno

(continued)

Kansas Court of Appeals
K.U. Law School, Green Hall, Room 201
1535 W. 15th St.
Lawrence, Kansas

Before Beier, P.J.; Elliott and Green, JJ.

Thursday, January 16, 2003

9:30 a.m.

Case No.	Case Name	Attorneys	Jurisdiction
88,756	Erin E. Brown (Jones), Appellee, v. Farmers Insurance Company, Inc., Appellant, and Deerbrook Insurance Company.	Richard T. Merker Matthew S. Jensen Randolph G. Willis	Johnson
88,755	In the Matter of the Marriage of Lu Ann Doetzel, Appellee, and Milton Jerome Watson, Appellant.	Melinda S. Whitman Joseph W. Booth	Johnson
86,101	State of Kansas, Appellee, v. Joseph Wesley Palmer, Appellant.	Attorney General Steven J. Obermeier, Asst. D.A. Darla Lilley	Johnson
88,083	State of Kansas, Appellee, v. Kevin Lee Duggins, Appellant.	Attorney General Steven J. Obermeier, Asst. D.A. Sarah Ellen Johnson, Asst. A.D.	Johnson
87,049	State of Kansas, Appellee, v. Anthony D. Ward, Appellant.	Attorney General Steven J. Obermeier, Asst. D.A. Rick Kittel, Asst. A.D.	Johnson

1:30 p.m.

87,604	State of Kansas, Appellee, v. Sean Dustin Davidson, Appellant.	Attorney General Andrew M. Delaney, C.A. Libby K. Snider, Asst. A.D.	Doniphan
88,139	State of Kansas, Appellee, v. Brian Keith McAdam, Appellant.	Attorney General Frederick B. Campbell, C.A. Kristen Chowning, Asst. A.D.	Anderson
88,295	State of Kansas, Appellee, v. William Lee Copper, Appellant.	Attorney General Bonnie Hannon, Asst. D.A. Paige A. Nichols, Asst. A.D.	Wyandotte
88,248	State of Kansas, Appellant, v. Billy Joe Fawl, Appellee.	Attorney General Brandon L. Jones, Asst. C.A. Peter Maharry, Asst. A.D.	Franklin
87,307	State of Kansas, Appellee, v. Sean R. Shobe, Appellant.	Attorney General Steven J. Obermeier, Asst. D.A. Mary Curtis, Asst. A.D.	Johnson

Friday, January 17, 2003

9:30 a.m.

Case No.	Case Name	Attorneys	Jurisdiction
88,383 88,846	Community Living Opportunities, Inc., Appellant, v. Peggy O'Neal, Charles O'Neal, Charles Warren, Eva Warren, and Cedric James, Appellees.	Allan E. Coon Abbigale A. Northcraft John R. Weist Scott C. Long	Johnson
87,137	William E. Van Dyke, Appellant, v. State of Kansas, Appellee.	James E. Rumsey Attorney General Angela Wilson, Asst. D.A.	Douglas

88,587	Angela Dalrymple, Appellant, v. Robert Greer, Appellee.	Paul Hasty, Jr. Philip R. Sedgwick	Wyandotte
87,736	Bruce D. Graham, M.D., P.A., Appellee, v. William Cirocco, M.D., Appellant.	Joseph W. Booth Timothy J. Sear	Johnson
88,666	Arturo Aguilar, Appellee, v. Americold Logistics, Inc., and Liberty Mutual Insurance Co., Appellants.	Scott J. Mann Douglas M. Greenwald Gregory D. Worth	Work Comp.

Summary Calendar—No Oral Argument

Case No.	Case Name	Attorneys	Jurisdiction
88,968	Teresa B. Galvan, Appellee, v. Hearthstone Retirement Community, and Insurance Company State of Pennsylvania, Appellants.	Matthew S. Crowley	Work Corp.
89,074	In re the Matter of the Tax Appeal of Harold R. Watson, Petitioner.	Harold R. Watson, Pro Se William E. Waters	Miami
88,043	Darrick Harris, Appellant, v. State of Kansas, Appellee.	Cheryl A. Stewart Attorney General Frank E. Kohl, C.A.	Leavenworth
88,862	State of Kansas, Appellee, v. Jerry Anderson, Appellant.	Attorney General Debra S. Peterson, Asst. D.A. Kristi L. Barton, Asst. D.A. Darla Lilley	Sedgwick
88,970	In the Matter of the Marriage of Jennifer Jeanette Allen, Appellee, and Hauns Markiet Allen (Arbra and Patricia Allen, Paternal Grandparents), Appellants.	Stanley R. Juhnke Nancy J. Andervich	Reno
88,803	In the Interest of: C.B.N., DOB: 12/25/92	Brian C. Paden Steven J. Obermeier, Asst. D.A.	Johnson
88,542	Michael L. Archer, Appellee, v. Berry Tractor & Equipment Co., and ITT Hartford Insurance Company, Appellants.	Richard J. Liby	Work Comp.
88,300	Arnold E. Jones, Appellant, v. State of Kansas, Appellee.	Randall L. Hodgkinson, Deputy A.D. Attorney General Ty Kaufman, C.A.	McPherson
87,719	State of Kansas, Appellee, v. Timothy Tighe, Appellant.	Attorney General Donna L. Longworth, Asst. C.A. Appellate Defender	Harvey
88,636	Nathan W. Stone, Appellant, v. Kansas Parole Board, Appellee.	Nathan W. Stone, #53334, Pro Se Michelle A. Davis, Asst. A.G.	Reno

(continued)

88,948	Andrew S. Mavrovich, Jr., Appellant, v. John Doe (98002657), Jim Vanderbilt, Jefferson County Attorney, Village Greens, Inc., Village Greens Golf Course, M. Vanderpool, Liability Insurer V.G.I. Etc., J. Doe II, et al., Appellees.	A. S. Mavrovich, Pro Se Michael C. Hayes Michael T. Jilka	Jefferson
88,174	Elton D. Garrett, a/k/a Elton D. Donahue, Appellant, v. State of Kansas, Appellee.	Korey A. Kaul, Asst. A.D. Elton D. Garrett, #20909, Pro Se Attorney General Debra S. Peterson, Asst. D.A. Lesley A. Isherwood, Asst. D.A.	Sedgwick
88,400	Ibraheem Ali, Appellant, v. State of Kansas, Appellee.	Jonathan C. Becker Attorney General Bradley R. Burke, Asst. D.A.	Douglas
88,869	Edward A. Braun, Appellant, v. Kansas Department of Revenue, Appellee.	Daniel C. Walter James G. Keller	Norton
87,523 87,524	State of Kansas, Appellee, v. Jacob L. Reed, Appellant.	Attorney General Benjamin Fisher, Asst. D.A. Theresa L. Barr, Asst. A.D.	Reno

**Kansas Court of Appeals
Court of Appeals Courtroom
Kansas Judicial Center
310 W. 10th Ave.
Topeka, Kansas**

Before Marquardt, P.J.; Lewis and Pierron, JJ.

Thursday, January 16, 2003

9:30 a.m.

Case No.	Case Name	Attorneys	Jurisdiction
87,349	State of Kansas, Appellee, v. Robert Keith Cordray, Appellant.	Attorney General Marc Goodman, C.A. Libby K. Snider, Asst. A.D.	Lyon
88,223	State of Kansas, Appellee, v. Matthew S. Judd, Appellant.	Attorney General Vernon E. Buck, Asst. C.A. Theresa Barr, Asst. A.D.	Lyon
88,690	Donald E. Clark, Appellant, v. Larry G. Kathrens and Kent Spielman, d/b/a Spielman Fertilizer, Appellee, and Elizabeth A. Clark, Appellant, v. Larry G. Kathrens and Kent Spielman, d/b/a Spielman Fertilizer, Appellee.	Brenda L. Head Larry G. Pepperdine Steve R. Fabert	Jackson
88,451	John C. Lloyd, M.D., Appellant, v. Quorum Health Resources, L.L.C.; and Terry Lambert, Appellees.	Thomas A. Krueger Michael W. Merriam	Shawnee
89,118	Washington Mutual Home Loans, Inc., Successor and Interest by Merger to Fleet Mortgage Corporation, Appellant, v. Alana Atkins, et al., Appellees.	Jack A. Quinlan Thomas G. Lemon	Shawnee

1:30 p.m.

88,848	American Family Mutual Insurance Company, Plaintiff/Garnishee, Appellee, v. James D. King, Defendant/Cross-Claim Defendant; Wayne McMurphey, et al., Defendants Cross-Claim Plaintiffs/Garnishors, Appellants.	Evelyn Zabel Wilson Thomas A. Krueger	Lyon
88,130	State of Kansas, Appellee, v. Michael Shirley, Appellant.	Attorney General Vernon E. Buck, Asst. C.A. Darla Lilley	Lyon
86,784	State of Kansas, Appellee, v. Carl L. Farley, Appellant.	Attorney General Sherri Schuck, Asst. C.A. Sandra Carr, Asst. A.D.	Pottawatomie
87,792	Jesse L. Hammond, Appellant, v. State of Kansas, Appellee.	Sandra Carr, Asst. A.D. Attorney General Robert D. Hecht, D.A.	Shawnee
88,757	Doyce Bates, Appellant, v. State of Kansas, Department of Corrections, Appellee.	Mark Beam-Ward Edward F. Britton	Shawnee
88,527	State of Kansas, Appellee, v. Wilson T. Ingram II, Appellant.	Attorney General Brenda M. Jordan, Asst. C.A. Barry A. Clark	Riley

Friday, January 17, 2003

9:30 a.m.

Case No.	Case Name	Attorneys	Jurisdiction
87,721	State of Kansas, Appellee, v. Edward D. Perkins, Appellant.	Attorney General Robert D. Hecht, D.A. Paige A. Nichols, Asst. A.D.	Shawnee
86,288	State of Kansas, Appellee, v. William F. Garcia, Appellant.	Attorney General Scott E. McPherson, Asst. D.A. Cory D. Riddle, Asst. A.D.	Douglas
88,213	Dennis R. Domnanish, Appellant, v. Katherine Domnanish, Appellee.	Edward G. Collister Jr. Scott C. Stockwell	Franklin
88,785	Willis Dean Dennington, Appellant, v. Fred Baker and New England Mutual Life Insurance Company, Appellees.	Jeffrey A. Peterson Grant M. Glenn Randall J. Forbes Robert W. McKinley	Shawnee

Summary Calendar—No Oral Argument

Case No.	Case Name	Attorneys	Jurisdiction
88,691	In the Interest of B.G., A.G., A.C.	Emily Hartz-Jensen Rachel I. Hockenbarger Robert D. Hecht, D.A.	Shawnee
89,264	State of Kansas, Appellant, v. Travis Jackson, Appellee.	Attorney General Tony Cruz, Asst. C.A. Ronald L. Hodgson	Geary
88,308	Dana T. Rank, Appellant, v. State Farm Mutual Automobile Insurance Company, Appellee.	Mark Beam-Ward Bradley S. Russell	Wyandotte

(continued)

89,178	In the Matter of J.S., Respondent DOB: 11/21/84, a Male Under the Age of 18 Years.	Amy L. Aranda Jennifer M. Hendrix, Asst. C.A.	Lyon
88,655	State of Kansas, Appellee, v. Parrish E. Bourn, Appellant.	Attorney General Faith A.J. Maughan, Asst. D.A. Paige A. Nichols, Asst. A.D.	Reno
88,149	The Lee R. Wright Revocable Living Trust and Lee R. Wright, Appellant, v. The Mary Kay Wright Revocable Living Trust, Mary Kay Wright, et al., Appellees.	Lee R. Wright, Pro Se Bruce Keplinger Thomas A. Krueger Jennifer J. Price Thomas A. Valentine	Lyon
88,171	In the Matter of the Marriage of Robin L. Davis, Appellee, and Mark J. Davis, Appellant.	Brian D. Levinson Mark Davis, Pro Se	Leavenworth
89,183	Michael Ortego, Appellant, v. David McKune, et al., Appellees.	Michael Ortego, #42174, Pro Se Kenneth Smith	Leavenworth
88,744	In the Interest of C.H., DOB: 08/10/99.	Robin A. Lewis Steven J. Obermeier, Asst. D.A. John W. Leighty, G.A.L.	Johnson
87,693 88,719	State of Kansas, Appellee, v. Justin Thomas Lee Ingram, a/k/a Justin Hobbs, Appellant.	Attorney General Daryl E. Hawkins, Asst. C.A. Sarah Ellen Johnson, Asst. A.D.	Dickinson
88,190	Robert M. Mauer, Appellant, v. State of Kansas, Appellee.	Randall G. Hodgkinson, Asst. A.D. Robert Mauer, #33621, Pro Se Attorney General Debra S. Peterson, Asst. D.A. Kristi L. Barton, Asst. D.A.	Sedgwick
88,760	State of Kansas, Appellee, v. Michael Earl Boswell, Appellant.	Attorney General Ellen H. Mitchell, C.A. Steven R. Zinn, Deputy A.D.	Saline
89,025	Jason F. Ferguson, Appellant, v. Shane A. "Andy" Smith and State Farm Automobile Insurance Company, Appellees.	Paul D. Post William A. Larson	Jefferson
88,287	Brent Wallace, Personal Representative and Heir-at-Law of Lori Lea Wallace and Brittany Allison-Ann Wallace, Appellant, v. Jeffrey A. Barnes, Jeff Barnes Trucking Company and Great West Casualty Company, Appellees.	George E. Mallon Darrell L. Warta	Wyandotte
87,758	State of Kansas, Appellee, v. Larry Vincent Taylor, Appellant.	Theresa L. Barr, Asst. A.D.	Scott

Carol G. Green
Clerk of the Appellate Courts

INDEX TO ADMINISTRATIVE REGULATIONS

This index lists in numerical order the new, amended and revoked administrative regulations and the volume and page number of the *Kansas Register* issue in which more information can be found. Temporary regulations are designated with a (T) in the Action column. This cumulative index supplements the 2000 Volumes and 2002 Supplement to the *Kansas Administrative Regulations*.

AGENCY 1: DEPARTMENT OF ADMINISTRATION

Reg. No.	Action	Register
1-2-31	Amended	V. 21, p. 767
1-2-42	Amended	V. 21, p. 767
1-2-42a	Amended	V. 21, p. 767
1-2-48	Revoked	V. 21, p. 767
1-5-22	Amended	V. 21, p. 767
1-5-29	Amended	V. 21, p. 767
1-6-3	Amended	V. 21, p. 767
1-6-21	Amended	V. 21, p. 768
1-6-26a	New	V. 21, p. 768
1-9-4	Amended	V. 21, p. 768
1-9-5	Amended	V. 21, p. 769
1-11-1	Amended	V. 21, p. 770
1-14-12a	Revoked	V. 21, p. 770
1-16-18	Amended	V. 21, p. 146
1-45-15	Amended (T)	V. 21, p. 1942
1-45-16	Amended (T)	V. 21, p. 1942

AGENCY 3: KANSAS STATE TREASURER

Reg. No.	Action	Register
3-2-2	Amended	V. 21, p. 1944
3-2-3	Amended	V. 21, p. 1944

AGENCY 4: DEPARTMENT OF AGRICULTURE

Reg. No.	Action	Register
4-1-17	Amended (T)	V. 21, p. 1174
4-1-17	Amended	V. 21, p. 1749
4-4-2	Amended	V. 21, p. 1749
4-7-2	Amended	V. 21, p. 2020
4-7-3	Amended	V. 21, p. 2020
4-7-4	Amended	V. 21, p. 2020
4-7-6	Amended	V. 21, p. 2021
4-7-213	Amended	V. 21, p. 2021
4-7-213a	Revoked	V. 21, p. 2021
4-7-214	Amended	V. 21, p. 2021
4-7-216	Amended	V. 21, p. 2021
4-7-408	Revoked	V. 21, p. 2021
4-7-507	Amended	V. 21, p. 2021
4-7-510	Amended	V. 21, p. 2021
4-7-511	Revoked	V. 21, p. 2021
4-7-512	Revoked	V. 21, p. 2022
4-7-513	Revoked	V. 21, p. 2022
4-7-530	Amended	V. 21, p. 2022
4-7-531	Amended	V. 21, p. 2022
4-7-532	Amended	V. 21, p. 2022
4-7-533	Amended	V. 21, p. 2022
4-7-715	Amended	V. 21, p. 2022
4-7-716	Amended	V. 21, p. 2022
4-7-717	Amended	V. 21, p. 2023
4-7-718	Amended	V. 21, p. 2023
4-7-719	Amended	V. 21, p. 2023
4-7-720	Revoked	V. 21, p. 2023
4-7-721	Revoked	V. 21, p. 2023
4-7-722	Revoked	V. 21, p. 2023
4-7-802	Revoked	V. 21, p. 2023
4-7-804	New	V. 21, p. 2023
4-7-900	Amended	V. 21, p. 2024
4-7-901	Amended	V. 21, p. 2024
4-7-902	Amended	V. 21, p. 2024
4-7-903	Amended	V. 21, p. 2024
4-7-904	Amended	V. 21, p. 2024
4-7-905	Revoked	V. 21, p. 2024

4-7-1000	Amended	V. 21, p. 2024
4-7-1001	Revoked	V. 21, p. 2025
4-13-9	Amended (T)	V. 21, p. 1174
4-13-9	Amended	V. 21, p. 1749
4-13-20 through		
4-13-24	Amended (T)	V. 21, p. 1174, 1175
4-13-20 through		
4-13-24	Amended	V. 21, p. 1749, 1750
4-13-33	Amended (T)	V. 21, p. 1175
4-13-33	Amended	V. 21, p. 1750
4-14-1	Revoked	V. 21, p. 1705
4-14-2	Revoked	V. 21, p. 1705
4-14-3	Revoked	V. 21, p. 1705
4-15-1	Revoked	V. 21, p. 1705
4-15-2	Revoked	V. 21, p. 1705
4-15-3	Revoked	V. 21, p. 1705
4-15-4 through		
4-15-14	New	V. 21, p. 1705-1708
4-18-1	Revoked	V. 21, p. 1708
4-19-1	Amended (T)	V. 21, p. 1175
4-19-1	Amended	V. 21, p. 1750
4-25-1	Amended	V. 21, p. 1750
4-25-2 through		
4-25-18	New	V. 21, p. 232-235

AGENCY 5: DEPARTMENT OF AGRICULTURE—DIVISION OF WATER RESOURCES

Reg. No.	Action	Register
5-3-26	Amended (T)	V. 21, p. 1131
5-3-26	Amended	V. 21, p. 1704
5-15-1 through		
5-15-4	New (T)	V. 21, p. 690-692
5-15-1 through		
5-15-4	New	V. 21, p. 1307-1309
5-16-1 through		
5-16-7	New	V. 21, p. 1667-1669

AGENCY 7: SECRETARY OF STATE

Reg. No.	Action	Register
7-23-13	Amended	V. 21, p. 1056
7-37-2	Amended	V. 21, p. 1056

AGENCY 9: ANIMAL HEALTH DEPARTMENT

Reg. No.	Action	Register
9-7-19	New	V. 21, p. 265

AGENCY 10: KANSAS BUREAU OF INVESTIGATION

Reg. No.	Action	Register
10-12-1	Amended	V. 21, p. 454
10-13-1	Amended	V. 21, p. 454
10-20-2a	New	V. 21, p. 454
10-21-1 through		
10-21-6	Amended	V. 21, p. 454-456

AGENCY 11: STATE CONSERVATION COMMISSION

Reg. No.	Action	Register
11-1-6	Amended	V. 21, p. 1318
11-1-7	Amended	V. 21, p. 1318
11-1-8	Amended	V. 21, p. 1318
11-1-9 through		
11-1-14	New	V. 21, p. 1319-1321
11-2-4 through		
11-2-6	Revoked	V. 21, p. 1321
11-5-1 through		
11-5-4	Revoked	V. 21, p. 1321
11-7-6	Amended	V. 21, p. 1321
11-7-7	Amended	V. 21, p. 1321
11-7-12 through		
11-7-15	Amended	V. 21, p. 1322, 1323
11-7-16	New	V. 21, p. 1323

11-9-2	Amended	V. 21, p. 1323
11-9-5	Amended	V. 21, p. 1323
11-9-10	Amended	V. 21, p. 1323
11-10-1 through		
11-10-6	New	V. 21, p. 1323-1324

AGENCY 14: DEPARTMENT OF REVENUE—DIVISION OF ALCOHOLIC BEVERAGE CONTROL

Reg. No.	Action	Register
14-13-14	New	V. 21, p. 1054
14-13-15	New	V. 21, p. 1055

AGENCY 17: STATE BANK COMMISSIONER

Reg. No.	Action	Register
17-24-3	New	V. 21, p. 212

AGENCY 22: STATE FIRE MARSHAL

Reg. No.	Action	Register
22-24-1 through		
22-24-18	New	V. 21, p. 147-150

AGENCY 25: STATE GRAIN INSPECTION DEPARTMENT (By Department of Agriculture)

Reg. No.	Action	Register
25-1-3 through		
25-1-6	Revoked	V. 21, p. 235, 236
25-1-12	Revoked	V. 21, p. 236
25-1-15	Revoked	V. 21, p. 236
25-1-19 through		
25-1-28	Revoked	V. 21, p. 236
25-2-4	Revoked	V. 21, p. 236
25-3-2 through		
25-3-6	Revoked	V. 21, p. 236
25-3-8	Revoked	V. 21, p. 236
25-3-10 through		
25-3-13	Revoked	V. 21, p. 236
25-3-15	Revoked	V. 21, p. 236
25-3-16	Revoked	V. 21, p. 236
25-3-17	Revoked	V. 21, p. 236
25-4-4	Revoked	V. 21, p. 236
25-5-1	Revoked	V. 21, p. 236

AGENCY 26: DEPARTMENT ON AGING

Reg. No.	Action	Register
26-1-1	Amended	V. 21, p. 743
26-1-4	Revoked	V. 21, p. 745
26-1-5	Amended	V. 21, p. 745
26-2-4	Amended	V. 21, p. 745
26-3-2	Revoked	V. 21, p. 745
26-5-1	Revoked	V. 21, p. 745
26-5-6	Amended	V. 21, p. 745
26-8-1	Amended (T)	V. 21, p. 1222
26-8-1	Amended	V. 21, p. 1747
26-8-2	Amended (T)	V. 21, p. 1172
26-8-2	Amended	V. 21, p. 1747
26-8-3	Revoked (T)	V. 21, p. 1173
26-8-3	Revoked	V. 21, p. 1748
26-8-5	Amended (T)	V. 21, p. 1173
26-8-5	Amended	V. 21, p. 1748
26-8-6	Revoked (T)	V. 21, p. 1173
26-8-6	Revoked	V. 21, p. 1748
26-8-7	Amended (T)	V. 21, p. 1173
26-8-7	Amended	V. 21, p. 1748
26-8-8	Amended (T)	V. 21, p. 1173
26-8-8	Amended	V. 21, p. 1748
26-8-9	Revoked (T)	V. 21, p. 1173
26-8-9	Revoked	V. 21, p. 1748
26-8-12	Revoked (T)	V. 21, p. 1173
26-8-12	Revoked	V. 21, p. 1748
26-8-13	Revoked (T)	V. 21, p. 1173
26-8-13	Revoked	V. 21, p. 1748
26-8-14	Revoked (T)	V. 21, p. 1173
26-8-14	Revoked	V. 21, p. 1748
26-8-15	New (T)	V. 21, p. 1173
26-8-15	New	V. 21, p. 1748
26-11-1	New	V. 21, p. 1405
26-11-2	New	V. 21, p. 1405

(continued)

26-11-3 New V. 21, p. 1405

**AGENCY 28: DEPARTMENT OF HEALTH
AND ENVIRONMENT**

Reg. No.	Action	Register
28-1-18	Amended (T)	V. 21, p. 1405
28-1-18	Amended	V. 21, p. 1920
28-4-269	Amended (T)	V. 21, p. 497
28-4-269	Amended	V. 21, p. 1167
28-4-331	Amended (T)	V. 21, p. 498
28-4-331	Amended	V. 21, p. 1168
28-4-351	Amended (T)	V. 21, p. 500
28-4-351	Amended	V. 21, p. 1170
28-4-576		
through		
28-4-596	New (T)	V. 21, p. 597-616
28-14-1	Amended	V. 21, p. 1791
28-14-2	Amended	V. 21, p. 1791
28-17-6	Amended (T)	V. 21, p. 1171
28-17-6	Amended	V. 21, p. 1704
28-19-17	Amended	V. 21, p. 1892
28-19-17a		
through		
28-19-17q	Revoked	V. 21, p. 1892
28-19-75	Revoked	V. 21, p. 1325
28-19-350	New	V. 21, p. 1892
28-19-564	Amended	V. 21, p. 1581
28-19-714	New	V. 21, p. 1325
28-29-18	Revoked	V. 21, p. 310
28-29-29	Amended	V. 21, p. 310
28-29-2201	New	V. 21, p. 310
28-31-1	Amended	V. 21, p. 1511
28-31-2	Amended	V. 21, p. 1512
28-31-3	Amended	V. 21, p. 1512
28-31-4	Amended	V. 21, p. 1512
28-31-6	Amended	V. 21, p. 1517
28-31-8	Amended	V. 21, p. 1518
28-31-8b	Amended	V. 21, p. 1519
28-31-9	Amended	V. 21, p. 1519
28-31-10	Amended	V. 21, p. 1519
28-31-10a	Amended	V. 21, p. 1520
28-31-11	Revoked	V. 21, p. 1520
28-31-14	Amended	V. 21, p. 1520
28-31-15	Amended	V. 21, p. 1520
28-31-16	Amended	V. 21, p. 1520
28-55-3	Amended	V. 21, p. 311
28-55-5	Amended	V. 21, p. 311
28-72-1		
through		
28-72-4	Amended	V. 21, p. 1944-1948
28-72-4a	Amended	V. 21, p. 1952
28-72-4b	Amended	V. 21, p. 1954
28-72-4c	Amended	V. 21, p. 1955
28-72-5		
through		
28-72-18	Amended	V. 21, p. 1957-1971
28-72-18e	Amended	V. 21, p. 1973
28-72-19	Amended	V. 21, p. 1974
28-72-21	Amended	V. 21, p. 1974

**AGENCY 30: SOCIAL AND
REHABILITATION SERVICES**

Reg. No.	Action	Register
30-4-90	Amended	V. 21, p. 1005
30-5-64	Amended	V. 21, p. 1943
30-5-101	Revoked	V. 21, p. 1007
30-5-300	Amended	V. 21, p. 1007
30-6-88	New	V. 21, p. 1010
30-6-94	Amended	V. 21, p. 506
30-6-103	Amended	V. 21, p. 1010
30-6-107	Amended	V. 21, p. 1011
30-6-109	Amended	V. 21, p. 1011
30-6-112	Amended	V. 21, p. 1013
30-10-1a	Amended	V. 21, p. 506
30-10-2	Amended	V. 21, p. 508
30-10-6	Amended	V. 21, p. 1014
30-10-7	Amended	V. 21, p. 509
30-10-11	Amended	V. 21, p. 1015
30-10-15a	Amended	V. 21, p. 1017
30-10-15b	Amended	V. 21, p. 1018
30-10-17	Amended	V. 21, p. 1019
30-10-18	Amended	V. 21, p. 1020
30-10-19	Amended	V. 21, p. 1023
30-10-21	Amended	V. 21, p. 1024
30-10-23a	Amended	V. 21, p. 1024

30-10-24	Amended	V. 21, p. 1025
30-10-25	Amended	V. 21, p. 1026
30-10-27	Amended	V. 21, p. 1027
30-10-29	Revoked	V. 21, p. 1028
30-12-16		
through		
30-12-22	Revoked	V. 21, p. 331
30-13-17		
through		
30-13-26	Revoked	V. 21, p. 331
30-64-20	Amended	V. 21, p. 80
30-64-22	Amended	V. 21, p. 80
30-64-23	Amended	V. 21, p. 80
30-64-24	Amended	V. 21, p. 1310
30-64-30	Amended	V. 21, p. 81
30-64-31	Amended	V. 21, p. 81
30-64-32	Amended	V. 21, p. 82
30-64-34	Revoked	V. 21, p. 82

**AGENCY 40: KANSAS INSURANCE
DEPARTMENT**

Reg. No.	Action	Register
40-1-43	Amended	V. 21, p. 451
40-1-46	Amended	V. 21, p. 212
40-1-47	New	V. 21, p. 588
40-1-48	Amended	V. 21, p. 1056
40-1-49	New	V. 21, p. 1703
40-2-22	Revoked	V. 21, p. 589
40-4-37	Amended	V. 21, p. 741
40-4-37k	Amended	V. 21, p. 1272
40-4-37q	New	V. 21, p. 1272
40-4-37s	New	V. 21, p. 743
40-4-37t	New	V. 21, p. 1272
40-4-37u	New	V. 21, p. 1370

**AGENCY 44: DEPARTMENT OF
CORRECTIONS**

Reg. No.	Action	Register
44-4-103	Revoked	V. 21, p. 309
44-4-104	Revoked	V. 21, p. 309
44-4-106		
through		
44-4-109	Revoked	V. 21, p. 309
44-5-101	Revoked	V. 21, p. 309
44-5-103	Revoked	V. 21, p. 309
44-5-107		
through		
44-5-110	Revoked	V. 21, p. 309
44-5-113	Revoked	V. 21, p. 309
44-5-114	Revoked	V. 21, p. 309
44-6-101	Amended	V. 21, p. 1406
44-6-106	Amended	V. 21, p. 1407
44-6-107	Amended	V. 21, p. 1407
44-6-108	Amended	V. 21, p. 1408
44-6-114c	Amended	V. 21, p. 1408
44-6-114d	New	v. 21, p. 1409
44-6-114e	New	V. 21, p. 1409
44-6-115	Revoked	V. 21, p. 1415
44-6-115a	New	V. 21, p. 1415
44-6-115b	New	V. 21, p. 1415
44-6-115c	New	V. 21, p. 1417
44-6-117	Revoked	V. 21, p. 1418
44-6-120	Revoked	V. 21, p. 1418
44-6-124	Revoked	V. 21, p. 1418
44-6-125	Amended	V. 21, p. 1418
44-6-126	Amended	V. 21, p. 1419
44-6-133	Revoked	V. 21, p. 1419
44-6-134	Amended	V. 21, p. 1419
44-6-136	Amended	V. 21, p. 1419
44-6-136a	Amended	V. 21, p. 1420
44-6-137	Amended	V. 21, p. 1420
44-6-138	Amended	V. 21, p. 1420
44-6-140	Amended	V. 21, p. 1421
44-6-140a	Amended	V. 21, p. 1421
44-6-141	Amended	V. 21, p. 1421
44-6-142	Revoked	V. 21, p. 1421
44-6-143	Amended	V. 21, p. 1421
44-6-146	Revoked	V. 21, p. 1422
44-7-102	Revoked	V. 21, p. 309
44-7-103	Revoked	V. 21, p. 309
44-7-105	Revoked	V. 21, p. 309
44-7-106	Revoked	V. 21, p. 309
44-7-107	Revoked	V. 21, p. 309
44-7-109	Revoked	V. 21, p. 309
44-7-112	Revoked	V. 21, p. 309

44-7-114	Revoked	V. 21, p. 309
44-7-115	Revoked	V. 21, p. 309
44-7-116	Revoked	V. 21, p. 309
44-8-110		
through		
44-8-114	Revoked	V. 21, p. 309
44-11-111	Amended	V. 21, p. 335
44-11-112	Revoked	V. 21, p. 336
44-11-113	Amended	V. 21, p. 336
44-11-114	Revoked	V. 21, p. 336
44-11-115	Revoked	V. 21, p. 336
44-11-119	Amended	V. 21, p. 336
44-11-120	Amended	V. 21, p. 336
44-11-121	Amended	V. 21, p. 337
44-11-122	Revoked	V. 21, p. 337
44-11-123	Amended	V. 21, p. 337
44-11-124	Revoked	V. 21, p. 337
44-11-127	Amended	V. 21, p. 337
44-11-129	Amended	V. 21, p. 338
44-11-130	Amended	V. 21, p. 338
44-11-131	Amended	V. 21, p. 339
44-11-132	Amended	V. 21, p. 339
44-11-133	Amended	V. 21, p. 339
44-11-135	Amended	V. 21, p. 339
44-12-103	Amended	V. 21, p. 117
44-12-105	Amended	V. 21, p. 117
44-12-106	Amended	V. 21, p. 117
44-12-107	Amended	V. 21, p. 117
44-12-201		
through		
44-12-205	Amended	V. 21, p. 118
44-12-210	Amended	V. 21, p. 118
44-12-303	Amended	V. 21, p. 118
44-12-305	Amended	V. 21, p. 118
44-12-306	Amended	V. 21, p. 119
44-12-307	Amended	V. 21, p. 119
44-12-309	Amended	V. 21, p. 119
44-12-310	Amended	V. 21, p. 119
44-12-312	Amended	V. 21, p. 119
44-12-313	Amended	V. 21, p. 119
44-12-314	Amended	V. 21, p. 119
44-12-318	Amended	V. 21, p. 120
44-12-320	Revoked	V. 21, p. 120
44-12-321	Amended	V. 21, p. 120
44-12-325	Amended	V. 21, p. 120
44-12-326	Revoked	V. 21, p. 120
44-12-327	Amended	V. 21, p. 120
44-12-328	Amended	V. 21, p. 120
44-12-401	Amended	V. 21, p. 120
44-12-501	Amended	V. 21, p. 121
44-12-503	Amended	V. 21, p. 121
44-12-504	Amended	V. 21, p. 121
44-12-505b	Amended	V. 21, p. 121
44-12-601	Amended	V. 21, p. 121
44-12-602	Amended	V. 21, p. 123
44-12-702	Amended	V. 21, p. 123
44-12-801	Amended	V. 21, p. 123
44-12-902	Amended	V. 21, p. 123
44-12-1002	Amended	V. 21, p. 123
44-12-1306	Amended	V. 21, p. 123
44-12-1307	Amended	V. 21, p. 124
44-13-101	Amended	V. 21, p. 151
44-13-104	Revoked	V. 21, p. 151
44-13-105	Amended	V. 21, p. 151
44-13-106	Amended	V. 21, p. 151
44-13-201	Amended	V. 21, p. 152
44-13-201b	Amended	V. 21, p. 153
44-13-202	Amended	V. 21, p. 153
44-13-302a	Revoked	V. 21, p. 153
44-13-304	Revoked	V. 21, p. 153
44-13-306	New	V. 21, p. 154
44-13-307	New	V. 21, p. 154
44-13-401	Amended	V. 21, p. 154
44-13-401a	Revoked	V. 21, p. 154
44-13-402	Amended	V. 21, p. 154
44-13-403	Amended	V. 21, p. 155
44-13-404	Amended	V. 21, p. 156
44-13-405a	Amended	V. 21, p. 157
44-13-406	Amended	V. 21, p. 158
44-13-408	Amended	V. 21, p. 158
44-13-409	Amended	V. 21, p. 158
44-13-501	Amended	V. 21, p. 158
44-13-502a	Amended	V. 21, p. 158
44-13-506		
through		
44-13-509	Amended	V. 21, p. 158, 159

44-13-601	Amended	V. 21, p. 159
44-13-603	Amended	V. 21, p. 159
44-13-610	Amended	V. 21, p. 159
44-13-701		
through		
44-13-704	Amended	V. 21, p. 159, 160
44-13-705	Revoked	V. 21, p. 161
44-13-706	Amended	V. 21, p. 161
44-13-707	Amended	V. 21, p. 161
44-14-101	Revoked	V. 21, p. 83
44-14-102	Revoked	V. 21, p. 83
44-14-201	Revoked	V. 21, p. 83
44-14-202	Revoked	V. 21, p. 83
44-14-301		
through		
44-14-318	Revoked	V. 21, p. 83
44-15-101	Amended	V. 21, p. 84
44-15-101a	Amended	V. 21, p. 84
44-15-102	Amended	V. 21, p. 85
44-15-201	Amended	V. 21, p. 86
44-16-102	Amended	V. 21, p. 86
44-16-103	Revoked	V. 21, p. 86
44-16-104	Revoked	V. 21, p. 86
44-16-105	Amended	V. 21, p. 86
44-16-106	Revoked	V. 21, p. 86
44-16-107	Revoked	V. 21, p. 86
44-16-108	Revoked	V. 21, p. 86

AGENCY 45: KANSAS PAROLE BOARD

Reg. No.	Action	Register
45-1-1	Revoked	V. 21, p. 1894
45-4-4		
through		
45-4-7	Revoked	V. 21, p. 1894
45-4-9	Revoked	V. 21, p. 1894
45-6-1	Revoked	V. 21, p. 1894
45-6-2	Revoked	V. 21, p. 1894
45-6-3	Revoked	V. 21, p. 1894
45-6-5	Revoked	V. 21, p. 1894
45-7-1		
through		
45-7-5	Revoked	V. 21, p. 1894
45-9-1		
through		
45-9-4	Revoked	V. 21, p. 1894
45-10-1	Revoked	V. 21, p. 1894
45-11-1	Revoked	V. 21, p. 1895
45-14-1	Revoked	V. 21, p. 1895
45-16-2	Revoked	V. 21, p. 1895
45-16-3	Revoked	V. 21, p. 1895
45-16-4	Revoked	V. 21, p. 1895
45-100-1	New	V. 21, p. 1895
45-200-1	New	V. 21, p. 1895
45-200-2	New	V. 21, p. 1896
45-300-1	New	V. 21, p. 1896
45-300-2	New	V. 21, p. 1896
45-400-1		
through		
45-400-4	New	V. 21, p. 1896, 1897
45-500-1		
through		
45-500-4	New	V. 21, p. 1897, 1898
45-600-1	New	V. 21, p. 1899
45-700-1	New (T)	V. 21, p. 1328
45-700-1	New	V. 21, p. 1900
45-700-2	New (T)	V. 21, p. 1328
45-700-2	New	V. 21, p. 1900
45-800-1	New	V. 21, p. 1900

AGENCY 51: DEPARTMENT OF HUMAN RESOURCES—DIVISION OF WORKERS COMPENSATION

Reg. No.	Action	Register
51-2-6	New	V. 21, p. 864
51-3-1		
through		
51-3-4	Amended	V. 21, p. 864-865
51-9-12		
through		
51-9-14	Revoked	V. 21, p. 865
51-9-15	New	V. 21, p. 1224
51-9-16	New	V. 21, p. 1271
51-10-6	Revoked	V. 21, p. 865
51-17-1	Revoked	V. 21, p. 865
51-24-1	Amended	V. 21, p. 865

51-24-3	Amended	V. 21, p. 865
51-24-4	Amended	V. 21, p. 866

AGENCY 60: BOARD OF NURSING

Reg. No.	Action	Register
60-2-101	Amended	V. 21, p. 840
60-3-106	Amended	V. 21, p. 840
60-3-110	Amended	V. 21, p. 1764
60-3-112	Amended	V. 21, p. 1764
60-4-103	Amended	V. 21, p. 841
60-9-105	Amended	V. 21, p. 1765
69-9-107	Amended	V. 21, p. 1765
60-11-116	Amended	V. 21, p. 316
60-11-121	Amended	V. 21, p. 1767
60-13-103	Amended	V. 21, p. 316
60-13-110	Amended	V. 21, p. 317
60-16-101	Amended	V. 21, p. 841
60-16-103	Amended	V. 21, p. 842
60-16-104	Amended	V. 21, p. 842

AGENCY 63: BOARD OF MORTUARY ARTS

Reg. No.	Action	Register
63-1-23	New	V. 21, p. 659
63-3-22	New	V. 21, p. 659
63-3-23	New	V. 21, p. 659
63-4-1	Amended	V. 21, p. 659
63-7-1		
through		
63-7-8	New	V. 21, p. 660-662

AGENCY 65: BOARD OF EXAMINERS IN OPTOMETRY

Reg. No.	Action	Register
65-4-3	Amended	V. 21, p. 183

AGENCY 66: BOARD OF TECHNICAL PROFESSIONS

Reg. No.	Action	Register
66-8-4	Amended	V. 21, p. 1789
66-9-5	Amended	V. 21, p. 1789
66-10-1	Amended	V. 21, p. 1789
66-10-9	Amended	V. 21, p. 1789
66-10-10b	New	V. 21, p. 1789
66-10-13	Amended	V. 21, p. 1790
66-11-1a	New	V. 21, p. 1790
66-11-1b	New	V. 21, p. 1790
66-11-5	New	V. 21, p. 1790
66-14-6	Amended	V. 21, p. 1790

AGENCY 68: BOARD OF PHARMACY

Reg. No.	Action	Register
68-1-1a	Amended	V. 21, p. 746
68-1-1e	Revoked	V. 21, p. 308
68-1-2a	Amended	V. 21, p. 746
68-1-3	Revoked	V. 21, p. 308
68-1-3a	Amended	V. 21, p. 746
68-2-5	Amended	V. 21, p. 308
68-9-1	Amended	V. 21, p. 308

AGENCY 74: BOARD OF ACCOUNTANCY

Reg. No.	Action	Register
74-4-7	Amended	V. 21, p. 1867
74-4-8	Amended	V. 21, p. 1867
74-4-9	Amended	V. 21, p. 1901
74-5-101	Amended	V. 21, p. 1868
74-5-102	Amended	V. 21, p. 1868
74-5-202	Amended	V. 21, p. 1869
74-5-302	Amended	V. 21, p. 1869
74-5-401	Amended	V. 21, p. 1869
74-5-406	Amended	V. 21, p. 1869
74-7-4	New	V. 21, p. 1870
74-11-6	Amended	V. 21, p. 1870
74-11-7	Amended	V. 21, p. 1870

AGENCY 82: STATE CORPORATION COMMISSION

Reg. No.	Action	Register
82-3-105	Amended (T)	V. 21, p. 1175
82-3-105	Amended	V. 21, p. 1750
82-3-113	Amended (T)	V. 21, p. 1175
82-3-113	Amended	V. 21, p. 1750
82-3-114	Amended (T)	V. 21, p. 1176
82-3-114	Amended	V. 21, p. 1751
82-3-117	Amended (T)	V. 21, p. 1176
82-3-117	Amended	V. 21, p. 1751
82-3-120	Amended (T)	V. 21, p. 1176

82-3-120	Amended	V. 21, p. 1751
82-3-311	Amended (T)	V. 21, p. 1178
82-3-311	Amended	V. 21, p. 1753
82-3-312	Amended	V. 21, p. 117
82-3-400	Amended	V. 21, p. 383
82-3-401	Amended	V. 21, p. 383
82-3-401a	Revoked	V. 21, p. 384
82-3-401b	Revoked	V. 21, p. 384
82-3-402		
through		
82-3-410	Amended	V. 21, p. 384-389
82-3-411	New	V. 21, p. 389
82-3-412	New	V. 21, p. 390
82-3-1000		
through		
82-3-1012	New (T)	V. 21, p. 1178-1188
82-3-1000		
through		
82-3-1012	New	V. 21, p. 1753-1763
82-4-22	Amended (T)	V. 21, p. 1329
82-4-22	Amended	V. 21, p. 1702

AGENCY 86: REAL ESTATE COMMISSION

Reg. No.	Action	Register
86-1-19	New	V. 21, p. 1814
86-3-15	Amended	V. 21, p. 1814

AGENCY 88: BOARD OF REGENTS

Reg. No.	Action	Register
88-5-1		
through		
88-5-4	Revoked	V. 21, p. 1705
88-6-1	Revoked	V. 21, p. 1705
88-6-2	Revoked	V. 21, p. 1705
88-6-3	Revoked	V. 21, p. 1705
88-16-1a	Revoked (T)	V. 21, p. 501
88-16-1a	Revoked	V. 21, p. 1166
88-16-1b	New (T)	V. 21, p. 501
88-16-1b	New	V. 21, p. 1166
88-24-1	New	V. 21, p. 1705
88-24-2	New	V. 21, p. 1705

AGENCY 91: DEPARTMENT OF EDUCATION

Reg. No.	Action	Register
91-1-146a		
through		
91-1-146e	Revoked	V. 21, p. 178
91-1-205	Amended	V. 21, p. 1583
91-1-206	Amended	V. 21, p. 178
91-1-215		
through		
91-1-219	New	V. 21, p. 178-180
91-10-1a*	Revoked	V. 21, p. 1705
91-10-2*	Revoked	V. 21, p. 1705

(*By Board of Regents)

91-32-1		
through		
91-32-9	Revoked	V. 21, p. 1867

AGENCY 92: DEPARTMENT OF REVENUE

Reg. No.	Action	Register
92-1-1	Revoked	V. 21, p. 332
92-1-2	Revoked	V. 21, p. 332
92-1-3	Revoked	V. 21, p. 332
92-5-4	Revoked	V. 21, p. 312
92-5-5		
through		
92-5-10	Amended	V. 21, p. 312, 313
92-5-11	Revoked	V. 21, p. 313
92-5-12	Amended	V. 21, p. 313
92-5-13	Amended	V. 21, p. 313
92-8-20	Revoked	V. 21, p. 332
92-9-1	Amended	V. 21, p. 332
92-9-3	Amended	V. 21, p. 332
92-9-4	Amended	V. 21, p. 332
92-9-5	Amended	V. 21, p. 332
92-9-7	Revoked	V. 21, p. 332
92-11-1		
through		
92-11-16	Revoked	V. 21, p. 332, 333
92-12-4	Amended	V. 21, p. 586
92-12-11	Amended	V. 21, p. 586
92-12-29	Revoked	V. 21, p. 586

(continued)

92-12-47 Amended V. 21, p. 586
 92-12-56 Revoked V. 21, p. 587
 92-12-58 Amended V. 21, p. 587
 92-12-67 Amended V. 21, p. 587
 92-12-68 Revoked V. 21, p. 587
 92-12-105 Amended V. 21, p. 587
 92-12-106 Amended V. 21, p. 587

92-12a-1 through
 92-12a-23 Revoked V. 21, p. 333, 334
 92-14-4 through

92-14-9 Amended V. 21, p. 334, 335
 92-15-3 Amended V. 21, p. 335
 92-15-4 Amended V. 21, p. 335
 92-15-8 Amended V. 21, p. 335

92-17-1 through
 92-17-6 Amended V. 21, p. 313, 314
 92-18-1 through

92-18-7 Revoked V. 21, p. 1307
 92-19-2 Revoked V. 21, p. 1311
 92-19-2a New V. 21, p. 1311

92-19-5 Revoked V. 21, p. 1997
 92-19-5a New V. 21, p. 1997

92-19-6 Revoked V. 21, p. 1312
 92-19-6a New V. 21, p. 1312

92-19-22 Revoked V. 21, p. 1998
 92-19-22a New V. 21, p. 1998
 92-19-22b New V. 21, p. 1999

92-19-23 Revoked V. 21, p. 2000
 92-19-23a New V. 21, p. 2000

92-19-35a New V. 21, p. 1312
 92-19-50 Revoked V. 21, p. 2000

92-19-55 Revoked V. 21, p. 1313
 92-19-55a New V. 21, p. 1313

92-19-57 Amended V. 21, p. 2000
 92-19-61 Revoked V. 21, p. 1315

92-19-61a New V. 21, p. 1315
 92-19-81 New V. 21, p. 2001

92-19-82 New V. 21, p. 1316
 92-20-11 Revoked V. 21, p. 1318

92-22-4 Amended V. 21, p. 450
 92-22-19 Revoked V. 21, p. 450

92-22-22 Revoked V. 21, p. 450
 92-22-23 Amended V. 21, p. 450

92-22-24 Revoked V. 21, p. 450
 92-22-25 Amended V. 21, p. 450

92-22-33 New V. 21, p. 450
 92-22-34 New V. 21, p. 450

92-23-10 Amended V. 21, p. 180
 92-23-15 Amended V. 21, p. 180

92-23-16 Amended V. 21, p. 180
 92-23-17 through

92-23-23 New V. 21, p. 181
 92-23-25 New V. 21, p. 181

92-23-30 New V. 21, p. 181
 92-23-31 New V. 21, p. 182

92-23-38 Amended V. 21, p. 182
 92-23-38a Amended V. 21, p. 182

92-23-40 Amended V. 21, p. 182
 92-24-9 through

92-24-15 Amended V. 21, p. 314, 315
 92-24-18 Amended V. 21, p. 315

92-24-22 Amended V. 21, p. 316
 92-24-24 Amended V. 21, p. 316

92-56-1 through
 92-56-5 Amended V. 21, p. 1057-1059

AGENCY 94: BOARD OF TAX APPEALS

Reg. No.	Action	Register
94-2-1 through		
94-2-18	Amended	V. 21, p. 703-708
94-2-19	New	V. 21, p. 708
94-2-20	New	V. 21, p. 708
94-3-1	Amended	V. 21, p. 709
94-3-2	Amended	V. 21, p. 709
94-4-1	New	V. 21, p. 710
94-4-2	New	V. 21, p. 710

AGENCY 100: BOARD OF HEALING ARTS

Reg. No.	Action	Register
100-11-1	Amended (T)	V. 21, p. 1131
100-11-1	Amended	V. 21, p. 1864
100-27-1	Amended	V. 21, p. 307
100-28a-1	Amended	V. 21, p. 1864
100-29-7	Amended	V. 21, p. 1864
100-49-4	Amended (T)	V. 21, p. 1131
100-49-4	Amended	V. 21, p. 1864
100-69-3	Amended	V. 21, p. 1864
100-69-9	Amended	V. 21, p. 1865
100-69-10	Amended	V. 21, p. 1865
100-69-11	Amended	V. 21, p. 1866

AGENCY 102: BEHAVIORAL SCIENCES REGULATORY BOARD

Reg. No.	Action	Register
102-2-3	Amended	V. 21, p. 237
102-2-4b	Amended	V. 21, p. 238
102-3-3a	Amended	V. 21, p. 1132
102-3-4a	Amended	V. 21, p. 1133
102-3-6a	Revoked	V. 21, p. 1134
102-3-12a	Amended	V. 21, p. 1134
102-3-17	New	V. 21, p. 1137

AGENCY 108: STATE EMPLOYEES HEALTH CARE COMMISSION

Reg. No.	Action	Register
108-1-2	Amended	V. 21, p. 1055
108-1-4	New	V. 21, p. 1366

AGENCY 109: BOARD OF EMERGENCY MEDICAL SERVICES

Reg. No.	Action	Register
109-5-1	Amended	V. 21, p. 1368
109-6-3	Amended	V. 21, p. 1369

AGENCY 111: KANSAS LOTTERY

A complete index listing all regulations filed by the Kansas Lottery from 1988 through 2000 can be found in the Vol. 19, No. 52, December 28, 2000 Kansas Register. The regulations listed below were published after December 31, 2000.

Reg. No.	Action	Register
111-2-4	Amended	V. 20, p. 1094
111-2-119 through		
111-2-124	New	V. 20, p. 416-419
111-2-120	Amended	V. 20, p. 1094
111-2-124	Amended	V. 21, p. 590
111-2-125	New	V. 20, p. 573
111-2-126	New	V. 20, p. 573
111-2-127	Amended	V. 20, p. 937
111-2-128	New	V. 20, p. 1188
111-2-129	New	V. 20, p. 1343
111-2-130	New	V. 20, p. 1394
111-2-131	New	V. 20, p. 1778
111-2-132	New	V. 20, p. 1901
111-2-133	New	V. 20, p. 1901
111-2-134	New	V. 20, p. 1901
111-2-135	New	V. 21, p. 590
111-2-136	New	V. 21, p. 590
111-2-137	New	V. 21, p. 649
111-2-138	New	V. 21, p. 692
111-2-139	New	V. 21, p. 747
111-2-140	New	V. 21, p. 1521
111-2-141	New	V. 21, p. 1852
111-2-142	New	V. 21, p. 1852
111-3-12	Amended	V. 20, p. 40
111-3-35	Amended	V. 20, p. 1189
111-4-1448	Amended	V. 21, p. 1521
111-4-1795 through		
111-4-1813	New	V. 20, p. 40-47
111-4-1801	Amended	V. 20, p. 1095
111-4-1803	Amended	V. 20, p. 1095
111-4-1805a	New	V. 20, p. 1095
111-4-1814 through		
111-4-1823	New	V. 20, p. 419-427
111-4-1818	Amended	V. 20, p. 575
111-4-1824	New	V. 20, p. 575
111-4-1825 through		
111-4-1839	New	V. 20, p. 937-942

111-4-1828 Amended V. 20, p. 1096
 111-4-1832 Amended V. 20, p. 1344
 111-4-1840 through
 111-4-1844 New V. 20, p. 1096-1100
 111-4-1845 through
 111-4-1850 New V. 20, p. 1189-1193
 111-4-1849 Amended V. 20, p. 1344
 111-4-1851 New V. 20, p. 1345
 111-4-1852 New V. 20, p. 1346
 111-4-1853 New V. 20, p. 1347
 111-4-1854 through

111-4-1870 New V. 20, p. 1395-1405
 111-4-1864 Amended V. 20, p. 1569
 111-4-1866 Amended V. 20, p. 1570
 111-4-1867 Amended V. 20, p. 1601
 111-4-1869 Amended V. 20, p. 1601
 111-4-1871 New V. 20, p. 1571
 111-4-1872 New V. 20, p. 1572
 111-4-1873 New V. 20, p. 1572
 111-4-1874 through

111-4-1877 New V. 20, p. 1779-1781
 111-4-1877 Amended V. 20, p. 1902
 111-4-1878 through

111-4-1885 New V. 20, p. 1902-1906
 111-4-1886 through

111-4-1889 New V. 21, p. 183-185
 111-4-1890 through

111-4-1893 New V. 21, p. 591-593
 111-4-1894 through

111-4-1900 New V. 21, p. 649-655
 111-4-1894 Amended V. 21, p. 1276

111-4-1901 through
 111-4-1921 New V. 21, p. 692-702

111-4-1910 Amended V. 21, p. 747
 111-4-1911 Amended V. 21, p. 747

111-4-1913 Amended V. 21, p. 748
 111-4-1922 New V. 21, p. 748

111-4-1923 New V. 21, p. 749
 111-4-1924 through

111-4-1932 New V. 21, p. 1329-1337
 111-4-1929 Amended V. 21, p. 1522

111-4-1933 through
 111-4-1938 New V. 21, p. 1523-1526

111-4-1938 Amended V. 21, p. 1852
 111-4-1939 through

111-4-1945 New V. 21, p. 1854-1857
 111-5-22 Amended V. 21, p. 1758

111-5-23 Amended V. 21, p. 1858
 111-5-24 Amended V. 21, p. 1858

111-5-26 Amended V. 21, p. 1859
 111-5-27 Amended V. 21, p. 1860

111-5-28 Amended V. 21, p. 1860
 111-5-30 Amended V. 21, p. 1529

111-5-32 Amended V. 21, p. 1861
 111-5-33 Amended V. 21, p. 1861

111-5-78 Amended V. 21, p. 751
 111-5-79 through

111-5-91 New V. 21, p. 1278-1281
 111-5-82 Amended V. 21, p. 1529

111-5-83 Amended V. 21, p. 1529
 111-5-92 through

111-5-98 New V. 21, p. 1339-1341
 111-5-96 Amended V. 21, p. 1530

111-5-97 Amended V. 21, p. 1531
 111-6-5 Amended V. 21, p. 1531

111-7-119 through
 111-7-127 Amended V. 21, p. 594-597

111-7-123 Amended V. 21, p. 1531
 111-7-126 Amended V. 21, p. 1532

111-7-134 Amended V. 20, p. 429

111-7-152	Amended	V. 20, p. 49
111-7-158		
through		
111-7-162	New	V. 20, p. 577
111-7-159	Amended	V. 20, p. 1101
111-7-162	Amended	V. 20, p. 944
111-7-163		
through		
111-7-170	New	V. 20, p. 1101-1103
111-7-165	Amended	V. 20, p. 1194
111-7-171		
through		
111-7-175	New	V. 20, p. 1782, 1783
111-7-176		
through		
111-7-180	New	V. 21, p. 656, 657
111-7-181	New	V. 21, p. 1563
111-7-182		
through		
111-7-186	New	V. 21, p. 1861-1862
111-8-101		
through		
111-8-126	New	V. 20, p. 1573-1579
111-9-111	New	V. 20, p. 1406
111-9-112	Amended	V. 20, p. 1579
111-9-113	Amended	V. 21, p. 186
111-9-114	New	V. 21, p. 657

111-9-115	New	V. 21, p. 702
111-9-116	New	V. 21, p. 703
111-9-117	New	V. 21, p. 1533

AGENCY 115: DEPARTMENT OF WILDLIFE AND PARKS

Reg. No.	Action	Register
115-2-1	Amended	V. 21, p. 1557
115-2-2	Amended	V. 21, p. 1558
115-2-3	Amended	V. 21, p. 1558
115-2-6	Amended	V. 21, p. 451
115-4-4	Amended	V. 21, p. 452
115-5-1	Amended	V. 21, p. 1137
115-5-2	Amended	V. 21, p. 1138
115-5-3	Amended	V. 21, p. 1138
115-7-1	Amended	V. 21, p. 1558
115-7-2	Amended	V. 21, p. 1559
115-7-7	New	V. 21, p. 1559
115-9-4	Amended	V. 21, p. 177
115-11-1	Amended	V. 21, p. 177
115-11-2	Amended	V. 21, p. 177
115-13-3	Amended	V. 21, p. 1560
115-13-4	Amended	V. 21, p. 1560
115-16-5	New	V. 21, p. 1138
115-16-6	New	V. 21, p. 1139
115-17-6		
through		
115-17-9	Amended	V. 21, p. 1889, 1890

115-17-11	Amended	V. 21, p. 1561
115-17-12	Amended	V. 21, p. 1562
115-17-13	Amended	V. 21, p. 1562
115-17-14	Amended	V. 21, p. 1890
115-18-7	Amended	V. 21, p. 453
115-18-13	Amended	V. 21, p. 1562
115-18-14	Amended	V. 21, p. 1563
115-20-2	Amended	V. 21, p. 1891
115-30-8	Amended	V. 21, p. 1891

AGENCY 117: REAL ESTATE APPRAISAL BOARD

Reg. No.	Action	Register
117-6-1	Amended	V. 21, p. 658
117-8-1	Amended	V. 21, p. 659

AGENCY 118: STATE HISTORICAL SOCIETY

Reg. No.	Action	Register
118-5-1		
through		
118-5-10	New	V. 21, p. 1205-1208

AGENCY 126: UNMARKED BURIAL SITES PRESERVATION BOARD

Reg. No.	Action	Register
126-1-1	New	V. 21, p. 1792
126-1-2	New	V. 21, p. 1792